UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2467th MEETING: 16 AUGUST 1983

NEW YORK

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NOTE

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2467th MEETING

Held in New York on Tuesday, 16 August 1983, at 10.30 a.m.

President: Mr. Luc de La BARRE de NANTEUIL (France).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2467)

1. Adoption of the agenda

2. Letter dated 2 August 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15902)

The meeting was called to order at 11.10 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 2 August 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15902)

1. The PRESIDENT (*interpretation from French*): In conformity with the decisions taken at previous meetings on this item [*2462nd, 2463rd and 2465th meetings*], I invite the representatives of Chad and the Libyan Arab Jamahiriya to take places at the Council table; I invite the representatives of Benin, Egypt, Guinea, the Islamic Republic of Iran, Ivory Coast, Kenya, Liberia, the Niger, Senegal, the Sudan and the United Republic of Cameroon to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Barma (Chad) and Mr. Burwin (Libyan Arab Jamahiriya) took places at the Council table; Mr. Soglo (Benin), Mr. Khalil (Egypt), Mr. Kaba (Guinea), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Essy (Ivory Coast), Mr. Okeyo (Kenya), Mr. Kofa (Liberia), Mr. Oumarou (Niger), Mr. Sylla (Senegal), Mr. Elfaki (Sudan) and Mr. Towo Atangana (United Republic of Cameroon) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received a letter from the representative of Somalia in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Madar (Somalia) took the place reserved for him at the side of the Council chamber.

3. Mr. MASHINGAIDZE (Zimbabwe): Sir, first of all I wish to congratulate you most warmly on your assumption of the presidency for this month. Your well-known diplomatic qualities and your experience, as well as your personal knowledge of developments in the area under consideration, will no doubt greatly facilitate our efforts to find fair and realistic solutions to the concerns of the people of Chad.

4. I should also like through you, Sir, to congratulate your prodecessor, Mr. Ling Qing of China, for the most exemplary and dignified manner in which he directed the work of the Council in July.

5. Also, since this is the first time I have addressed the Council in a formal meeting this month, I should like to take this opportunity, on my own behalf and on behalf of the Zimbabwe delegation, to welcome to New York and to the Security Council Mr. van der Stoel, the new representative of the Netherlands. My delegation is happy to observe that the excellent working relationships which existed between our two Missions during his worthy precedessor's time at the United Nations continue to grow to the mutual benefit of our two countries and peoples.

6. The Council is once again meeting at the request of the Government of Chad. It will be recalled that previous meetings [*2419th and 2428th to 2430 meetings*] in March this year had been occasioned by Chad's request that the Council meet to consider

> "the extremely serious situation prevailing in Chad as a result of the occupation of a part of Chad territory by Libya and of repeated acts of aggression by that country against the people of Chad" [*S/15643*].

7. It will be recalled also that, in addressing the Council on 31 March [*2428th meeting*], the Zimbabwe delegation expressed Zimbabwe's deep regret that a dispute should

exist between Chad and Libya—two countries which are so linked by geography and history that they have a common destiny. We pointed out then, as did other African and non-aligned delegations, that our concern was all the greater because the two countries were cherished members of the Organization of African Unity (OAU) and the Movement of Non-Aligned Countries—the two organizations that are so vital to the solidarity and survival of the peoples of the third world.

8. Our regrets and concerns are growing even deeper because not only are the unhappy relations between Chad and Libya persisting, but the situation in the area is also dangerously escalating, mainly as a result of the increasing involvement of external factors and forces in the area. In our view, this external involvement not only undermines any possibility of national reconciliation in Chad itself but is also bound to frustrate, and even militate against, efforts by the OAU to bring about a peaceful settlement of the dispute between the two countries.

9. As Sir John Thomson has already reminded us, the statement by the President of the Security Council in April—having expressed the Council's concern that the differences between Chad and Libya should not escalate and endanger regional peace and security, and having also called on the two parties to settle their differences peacefully and without undue delay—concluded with an appeal to Chad and Libya

> "to make fullest use of the mechanism available within the regional organization for the peaceful settlements of disputes, including the Good Offices Committee established by the Organization of African Unity and of those provided in Article 33 of the Charter of the United Nations" [*see S/15688*].

10. It seems to our delegation that this appeal continues to be just as valid and relevant, if not more so. It should be addressed to the parties concerned with the utmost urgency and clarity which this new situation demands. Our delegation notes with encouragement and great appreciation that the OAU, having successfully overcome its temporary difficulties, as was clearly testified to by the successful holding of its nineteenth session of the Assembly of Heads of State and Government, held at Addis Ababa in June, took immediate steps to bring understanding and peace between Chad and Libya. The OAU initiative in this matter was first demonstrated by the meeting of the Bureau of the nineteenth session of the Assembly, held on 15 and 16 July at Addis Ababa. It will be recalled that the Bureau, of which my own country is an active member, appealed to the two parties to end hostilities immediately. It also appealed to all other countries contemplating interference and intervention in Chad to refrain from such action. As we all know, even as this Council is meeting now, regional efforts under the aegis of the OAU are intensifying. We are convinced, therefore, that the best course of action open to the Council in these circumstances is to throw all its weight and influence behind the intensified initiatives of the OAU. In so doing, the Council must also deplore and reject any external intervention and interference in support of any of the internal factions in Chad.

11. Mr. van der STOEL (Netherlands): For the second time this year the Council is being called upon to discuss the question of Chad and, more specifically, the continuing crisis in relations between Chad and the Libyan Arab Jamahiriya. Our debate this spring [*2419th and 2428th to 2430th meetings*] ended with the Council authorizing its President on 6 April to issue a statement, *inter alia*, calling on the parties to settle their differences without undue delay and by peaceful means, on the basis of the relevant principles of the Charter of the United Nations and of the Charter of the Organization of African Unity, which demand respect for political independence, sovereignty and territorial integrity. The statement continued as follows:

> "In this connection the members of the Council have taken note with appreciation of the willingness expressed by both parties to discuss their differences and to resolve them peacefully and urge both sides to refrain from any actions which could aggravate the current situation" [*see S/15688*].

12. Four months have passed since that statement was issued. The hope that parties would succeed in settling their differences has proved to be unfounded. On the contrary, the situation has dramatically worsened. War is raging in Chad, claiming many innocent victims amongst the civilian population. We are now faced with what amounts to a full-scale foreign armed intervention in the internal affairs of Chad. In spite of the denial by the representative of Libya, there is overwhelming evidence that Libyan tank units have penetrated deeply into Chad territory, and that the Libyan air force has repeatedly carried out bombing raids, especially on the town of Faya-Largeau. By acting in this way, Libya is clearly violating its obligations as a State Member of the United Nations, especially its obligation to refrain from the use of force against the territorial integrity of another State.

13. The representative of Libya claims that Mr. Goukouni Weddey heads the legitimate Government of Chad. I shall be brief on this subject. The Netherlands Government recognizes the Government of Chad headed by its President Hissein Habré, whose representative is now rightfully taking part in the deliberations of the Council, as he did in April of this year, when the Council last debated the complaint of his country against Libya. The legitimacy of the Government of President Habré has also been confirmed at the nineteenth session of the Assembly of Heads of State and Government of the OAU, held at Addis Ababa last June. It is also clear that the presidential statement of 6 April, in calling for a dialogue between parties to settle their differences, was referring to a dialogue between Libya and the Government of Mr. Habré. Finally, even if the Government of Libya rejects the legitimacy of the Habré Government, that does not justify its unprovoked armed intervention in the affairs of Chad.

14. In his letter of 3 August [*S/15906*], the representative of Libya speaks of the "direct intervention of . . . the

United States and France in the affairs of Chad". A number of representatives, and notably the representative of the Soviet Union, have spoken along similar lines. However, this presentation of the facts is deliberately misleading and obscures the picture. On the one hand, there is the provision, at the request of its legitimate Government, of military assistance to a country acting in self-defense. On the other hand, we witness an instance of armed intervention in the affairs of a neighbouring State, in clear violation of the Charter of the United Nations. This distinction must be maintained.

15. My Government is shocked by the human suffering in Chad. There ought to be an immediate end to the fighting. Chad's sovereignty over its territory must be fully restored. Chad must be free to direct its efforts towards internal consolidation and economic development and reconstruction. Any continued foreign armed intervention against the Government of Chad is likely to aggravate further the conflict in that country. The dispute between Chad and Libya should be solved by negotiations and not by force. Negotiations could be renewed within the context of the OAU, in conformity with the resolution[1] which was adopted by the Heads of States and Government of the OAU during its nineteenth session of the Assembly, held at Addis Ababa in June, inviting Chad and Libya to seek a negotiated solution to their differences within the context of the *Ad Hoc* Mediation Committee established by the OAU. We earnestly hope that all parties will show the required restraint to solve the present crisis along lines which are compatible with the principles of the Charter of the United Nations.

16. Mr. LING Qing (China) (*interpretation from Chinese*): The people of Chad have not been able to live in a peaceful and stable environment long since the attainment of independence. In the past year the Government of Chad has been making extensive efforts to restore domestic peace and heal the war-torn country. However, tensions have now erupted again, plunging the tormented population into new miseries. The Chinese delegation is deeply concerned about this development and expresses profound sympathy for the tribulations of the Chad people.

17. The grave situation in Chad has been further complicated as a result of super-Power meddling. We always hold that the independence, sovereignty and territorial integrity of Chad should be respected, the internal affairs of that country should be left to the Chad people themselves and all outside intervention should stop.

18. In its resolution,[1] the nineteenth session of the Assembly of Heads of State and Government of the OAU, held last June at Addis Ababa, called on the two parties to the dispute to refrain from any action likely to worsen further the existing situation. Recently, the OAU again appealed for an immediate cessation of outside intervention and called for an immediate ceasefire between the two conflicting parties so as to achieve a just and enduring peace on the basis of national reconciliation. We appreciate and support the positive efforts of the OAU to bring peace to Chad. It is our hope that all parties concerned will respond to the appeal of the OAU and that the two parties to the dispute, in particular, will seek a fair and reasonable settlement within the framework of the OAU through friendly consultation and dialogue on the basis of the principle of mutual respect for independence, sovereignty and territorial integrity without super-Power interference or sabotage.

19. The Chinese delegation sincerely wishes to see an early return of peace to Chad so that the Chad people can recuperate and rehabilitate their country while consolidating their hard-won independence.

20. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Somalia. I invite him to take a place at the Council table and to make his statement.

21. Mr. MADAR (Somalia) (*interpretation from Arabic*): I should like first of all, Sir, on behalf of my delegation to convey to you our cordial congratulations on your assumption of the presidency for August. My delegation is quite convinced that the work of the Council will be crowned with success, thanks to your far-reaching knowledge and experience in international affairs and great political experience.

22. I take this opportunity to congratulate your predecessor, the representative of China, on the competent and wise manner in which he conducted the Council's deliberations at its recent meetings.

23. I shall now make a statement on behalf of the Ministry for Foreign Affairs of the Somali Democratic Republic in respect of the matter of Chad.

> "The Ministry for Foreign Affairs of the Somali Democratic Republic has learned with astonishment of the wanton attacks by land and by air carried out by the forces of the Qaddafi régime against the northern Chad town of Faya-Largeau and its forcible occupation. It will be recalled that the Government of the Somali Democratic Republic in the past repeatedly warned the international community of Colonel Qaddafi's policies of expansionism and destabilization of the African continent. The events which are now unfolding in Chad in full view of the entire world are but a clear demonstration of those policies. Colonel Qaddafi's aggression against Chad also represents a real threat to the territorial integrity and national independence of other neighbouring African States. In the circumstances, the Government and people of the Somali Democratic Republic unreservedly condemn the invasion of Chad by the Qaddafi régime and call upon the régime to unconditionally withdraw its forces from the territory of Chad and to refrain in the future from its persistent interference in the internal affairs of that sister country.
>
> "Finally, the Government of the Somali Democratic Republic wishes to underline to the international community the dangerous situation which now obtains in Chad and its implications for the security and stability

of the African continent. It calls once again on the Organization of African Unity to shoulder its responsibility for safeguarding the unity and national independence of Chad."*

24. The PRESIDENT (*interpretation from French*): The representative of Benin has asked to exercise the right of reply. I invite him to take a place at the Council table and to make his statement.

25. Mr. SOGLO (Benin) (*interpretation from French*): As everyone will recall, last Friday [*2465th meeting*] the representative of Mr. Hissein Habré, my brother Barma, engaged in an exercise in very poor taste in this hall, and I expressed a desire to reply to him right away. Unfortunately the atmosphere in the chamber at the time did not make it possible for you, Mr. President, to allow me to do so. So I am pleased, Sir, that you have given me this opportunity today to reply.

26. Last Friday, the representative of Mr. Hissein Habré used the most offensive language against my country and against me. We would have ignored the form and substance of his remarks had he not added to his gratuitous insults a baseless calumny and had he not engaged in personal attacks against the head of State of the People's Republic of Benin, our great comrade-in-arms, President Mathieu Kérékou.

27. In replying to him I shall not stoop to his level nor resort to bad faith and lies, which he uses so skilfully.

28. He said for example, "Colonel Kérékou . . . came to power and stays in power by force".

29. The representative of Mr. Hissein Habré is obviously unaware of what a democratic and popular revolution means, but that is not his fault. The profound aspirations of the people of Chad continue to be stifled and their only knowledge of political power is the caricature provided today by the new régime in N'Djamena. But I should like him to know once and for all that, following the revolution of 26 October 1972, President Mathieu Kérékou, today Brigadier-General, came to power. It was a democratic, popular revolution, which was intended to put an end to the policies of abdication and betrayal practised by the preceding régimes. It was a revolution whose objective was primarily the building of a new society where there would not be any exploitation of man by man and where the pursuit of happiness would be possible for everyone.

30. I should also like him to know that if our comrade-in-arms, President Mathieu Kérékou, is still in power it is because of the unanimously expressed will of all the people of Benin. In our country, Benin, democratic institutions do exist. I shall not dwell on all those institutions, but I should just like to say that we have a Fundamental Law, a National Revolutionary Assembly, where all sectors of the population are represented and where they can freely express their views. One of the principal prerogatives of that Assembly is to elect the head of State of the People's Republic of Benin.

31. The representative of Mr. Hissein Habré said, moreover, that President Kérékou has as a tutor the leader of the Libyan Revolution, Muammar Qaddafi. In that connection I should like to state the following.

32. First, since the revolution of 26 October 1972 the foreign policy of the People's Republic of Benin has been based on maintaining relations with all countries without exception, provided that those relations are based on the principles of non-alignment, equality, mutual respect, sovereignty, mutual benefit and national dignity. Present relations between the People's Republic of Benin and Libya are precisely of that kind. The People's Republic of Benin has no need to blush at its friendships. It is happy and honoured to have fruitful relations with the Libyan Arab Jamahiriya based on mutual respect and sovereignty.

33. Secondly, by launching the revolution of 26 October 1972, the people of Benin wished precisely to make a radical break with the past and to embark on a new policy of national independence, the basis and aim of which remain its interests and its identity. It intends to remain master of its fate, a fate it has freely chosen. The barbaric aggression of which my country, the People's Republic of Benin, was victim on 16 January 1977 was indeed a criminal attempt by international imperialism to thwart Benin's determination truly to fulfil its destiny. It is that very plot which is being hatched today against the Libyan revolution, a revolution which shares with my country the same ideals of peace and social justice and the same desire for independence. In the context of this plot, the confusion in Chad is a mere pretext. International imperialism is protecting its puppets and hurrying to the assistance of its lackeys.

34. Thirdly, the representative of Mr. Hissein Habré, my brother Barma, attacked me personally and accused me of being a *maître-chanteur*: an instrument of blackmail. I should like simply to inform him, since he seems not to know it, that I am first and foremost a representative of my country and that I receive and carry out with conviction the instructions of my superiors.

35. In conclusion, I should like to reaffirm that the People's Republic of Benin remains convinced that a solution of the problem of Chad requires national reconciliation among all ideologies, without exception, under the auspices of the OAU and safe from bombardment by non-African Powers.

36. Ready for the revolution. The struggle continues.

37. The PRESIDENT (*interpretation from French*): The representative of the Libyan Arab Jamahiriya has asked to speak in exercise of his right of reply. I invite him to make his statement.

38. Mr. BURWIN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): I regret that I was unable to make a

* Quoted in English by the speaker.

statement of reply last Friday. Along with the representative of Benin, I was prevented from doing so while others were allowed that privilege.

39. The question has been raised here of difficulties with interpretation from Arabic into other languages. Arabic, as we understand, is an official language, and bilateral relations were invoked in the work of the Council.

40. Mr. President, we are aware that your country is a party to the conflict under discussion, and I should not like to have to invoke rule 20 of the provisional rules of procedure. We realize that, although it is intervening in Chad, France is a civilized country, a country which waged world-wide revolution against social injustice and the exploitation of man by man. We are all human, and, while we do not expect complete impartiality and justice, we certainly do expect what might be called reasonable justice.

41. The Libyan Arab Jamahiriya wishes to assure members of the Council of its respect for the Council, for the Charter of the United Nations and for the Charter of the Organization of African Unity. It is thanks precisely to this institution that Libya was able to move towards independence. As a small country, Libya is keenly interested in the role played by the United Nations.

42. I can assure you, Sir, that we are fully prepared to co-operate with the Council in the search for a positive solution in keeping with the interests of the people of Chad and not with those of the tools of imperialism, a solution which will not lead to interference in my country and to the destabilization of its régime.

43. I reject out of hand all the lies and fallacious allegations made by the representative of Mr. Hissein Habré against my country. I should like simply to say that he and his patron are hired by American imperialism to spell such lies.

44. Some speakers have overlooked the true causes of the conflict in Chad. As the press attaché of the French mission said to a television station, the situation in Chad is a complex one whose roots go well into the past. Those roots still remain. Permit me to recall some of the underlying causes of the conflict in Chad: they include ideological, religious, tribal and other differences, personal interests, and the fact that Mr. Habré co-operates neither with the other entities in Chad nor with the legitimate Government. Nor does he co-operate with the OAU in the efforts it is making in this matter. Some speakers also overlooked the fact that French forces and United States military advisers are present there, along with troops from Zaire and the Sudan.

45. There is another point that deserves some attention, that is, the position of the OAU. The OAU is very interested in the internal situation in Chad and has issued many statements, all of them calling for national reconciliation and non-interference by both Africans and non-Africans. Contacts have been established by the OAU, and we very much hope that they will lead to a successful outcome.

46. The PRESIDENT (*interpretation from French*): The representative of Chad has asked to be allowed to speak, and I call on him.

47. Mr. BARMA (Chad) (*interpretation from French*): I wish to make two brief comments. The first is to my brother Soglo, the representative of Benin. I wish to point out that my official title is "the Permanent Representative of Chad to the United Nations", and that Mr. Hissein Habré is the President of the Republic of Chad—whether he likes it or not.

48. Secondly, he has given us an outline of the constitutional laws and institutions of his country. I shall not go into them since they are his country's internal affairs. What I maintain is that President Kérékou was brought to power by a *coup d'état*, as happens around the world.

49. The representative of Colonel Qaddafi considers me to be a representative of American imperialism. I should like to say that my country, Chad, maintains close relations of co-operation and friendship with the United States of which we are proud.

50. The PRESIDENT (*interpretation from French*): The representative of the Sudan has asked to be allowed to speak in exercise of the right of reply. I invite him to take a place at the Council table and to make his statement.

51. Mr. ELFAKI (Sudan) (*interpretation from Arabic*): I have asked to be allowed to speak this morning as a result of the fallacious allegation made by my brother from Libya that Sudanese forces are in Chad. I should like to assure the Council that we in the Sudanese delegation have no knowledge of any Sudanese forces of any kind in Chad. And if they were there in response to an invitation from the legitimate Government of N'Djamena, what wrong would the Sudanese have committed and what would be contrary to international documents and instruments? That would be in response to an invitation from the Government of Chad to defend it.

52. The representative of Libya is trying to divert the Council's attention from its responsibilities. We invite him to co-operate with the Council and the international community as a whole. I can tell him that allegations and false accusations will serve no useful purpose. I ask him to work with the Council and help it meet its obligations and responsibilities.

The meeting rose at 12.05 p.m.

NOTE

[1] A/38/312, annex, resolution AHG/Res.106 (XIX).

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2468th MEETING

Held in New York on Tuesday, 16 August 1983, at 3.30 p.m.

President: Mr. Luc de La BARRE de NANTEUIL (France).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2468)

1. Adoption of the agenda

2. Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/15914)

The meeting was called to order at 4.25 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/15914)

1. The PRESIDENT (*interpretation from French*): In conformity with the decisions taken at previous meetings on this item [*2464th to 2466th meetings*], I invite the representative of the Libyan Arab Jamahiriya to a take place at the Council table; I invite the representatives of Afghanistan, Cuba, Democratic Yemen, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Sudan, the Syrian Arab Republic and Viet Nam to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Burwin (Libyan Arab Jamahiriya) took a place at the Council table; Mr. Zarif (Afghanistan), Mr. García Iturbe (Cuba), Mr. Al-Alfi (Democratic Yemen), Mr. Rajaie-Khorassani (Islamic Republic of Iran) Mr. Vongsay (Lao People's Democratic Republic), Mr. Elfaki (Sudan), Mr. Al-Atassi (Syrian Arab Republic) and Mr. Le Kim Chung (Viet Nam) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Czechoslovakia, Egypt, the German Democratic Republic and India, in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Kulawiec (Czechoslovakia), Mr. Khalil (Egypt), Mr. Hucke (German Democratic Republic) and Mr. Krishnan (India) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): Members of the Council have before them the following documents: S/15924, containing a letter dated 12 August 1983 from the representative of Somalia to the President of the Council, and S/15925, containing a letter dated 15 August from the representative of Egypt to the President of the Council.

4. Mr. GAUCI (Malta): The month of August has been exceptionally hot and humid in more ways than one for all of us here. You, Mr. President, have had to bear an unfairly large part of this humid heat, and yet you have remained cool, calm and superbly efficient. It therefore gives me pleasure to compliment you once more on the guidance and direction you have already given us which augurs well for the eventual outcome of these meetings.

5. The Council was seized of a similar complaint by Libya last February [*S/15615*], and only a few weeks later the Council was seized of a matter raised by Chad [*S/15643*]. Today it can perhaps be said that the Council has a "seizure" on a concurrent mixture of two separate but linked items, each of which is an almost inevitable corollary of the issues previously discussed. Unfortunately, however, the situations on the spot in both instances have gravely deteriorated, and the sober climate needed for their discussion has equally deteriorated in this chamber.

6. My delegation expressed its views in considerable detail on each item on the two previous occasions. We will not, therefore, repeat those details today, but we feel constrained to make a few additional observations with our customary frankness because serious and honest comment is called for.

7. The present international situation is unprecedentedly precarious. We are living through a period of very

great tension with outright conflict raging out of control in far too many sensitive areas at the same time. The world is in fact lurching from one crisis to another.

8. And yet, for too long now constructive efforts proposed from various sources and designed to relieve tensions and even to reduce confrontation have been receiving scant response from the super-Powers. On the contrary, the tone of rhetorical posturing has become more bellicose; at times, hastily pronounced national positions have tended to increase fears, complicate issues and even undermine the relevance of a classical interpretation of the principles of international law as applicable to contemporary situations. It is, perhaps, a form of "instant diplomacy" particularly ill-suited to the needs of modern times.

9. We feel that, even as 1984 approaches, double-think and double-talk seem already to be in vogue; the viewpoints of national positions are clouded by ideological and strategic considerations. These, all too often, are completely alien to given situations and tend to ride roughshod over the real interests of small countries, which, mainly, are only striving to overcome difficulties arising from their past history and yearning for change and progress, principally in the economic and social sectors.

10. Against this background, against this sickly situation which calls for wise and patient decisions, remedies which belong to a past era are recklessly still being applied today.

11. In Malta's view, three major current approaches in particular give great concern to the majority of countries.

12. The first, and certainly the crudest of all, essentially envisages the threat or actual use of force. This approach may be contained, albeit ruinously and precariously, when manifested by one military alliance against the other. Each side has practically become immune to any pressure from the other. In fact, so used is each side to the existing state of super-armament that efforts have even been made to accept this state of affairs as normal, by labeling frequent and massive military exercises announced in advance as "confidence-building measures".

13. What seems to be overlooked, and certainly is often conveniently forgotten, is that these so-called confidence-building measures, which can be nonchalantly shrugged off as routine by evenly matched opposing alliances, are more likely to be seen as "panic-inducing measures" by the smaller countries of Africa, Asia and Latin America, which unfortunately have become the preferred arena of the two super-Powers in their competition for predominance.

14. It might be added that, the longer the period of advance notice given, the longer the period of acute concern and uncertainty for small countries—which even the most solemn assurances by the super-Powers, given their past record, can hardly be expected to allay.

15. In this sense, therefore, my country—among the smallest in the world, unarmed and unaligned by the will of its people, but situated in an area of turbulence, confrontation and uncertainty—can readily understand and even share the concern of other relatively small countries when faced with a massive armed naval and aerial military build-up near their shores. The potential for destruction, even in the case of accident, is almost impossible to estimate. In an enclosed sea, the shores of one country are the shores of many countries.

16. A second approach, less crude perhaps but none the less dangerous, is the tendency of either one of the two super-Powers to nudge its preferred and protected friends into adventurist policies. "Unwise grins" is the apt phrase used to describe this attitude in an article by Gideon Samet in *The New York Times* of 16 August. Many actions in the fairly recent past might not have been taken had there not been a fairly reasonable assurance given, or at least calculated, that no adverse concerted international reaction would immediately follow. This approach might work in the short run but it can only exacerbate conflicts, because in international relations even the laws of nature are defied, and to every action, sooner or later, there will be an opposite but unequal reaction.

17. All too often, in addition, there is the tendency of one side to even-out a "score" previously made by the other. And so the circle of violence increases. Its most fertile field, and the safest for the super-Powers, once again is in the ranks of the third-world countries.

18. And the third major category of current counter-productive measures is the insistence of the super-Powers on controlling and manipulating according to their dictates the working of international organizations to which they belong and to frustrate the fragile efficiency and effectiveness of those to which they are not parties. This applies not only to political organizations such as the United Nations but also to other, specialized institutions for the provision of untied aid, expertise and finance.

19. As a result, these organizations are being shaken to their very foundations, and unless remedial action is taken in time the organizations will be unable to deal with the very problems for whose resolution they were established: a bleak prospect indeed. A low common denominator of agreement on any one issue inevitably has repercussions on the discussion of other issues. We have sunk so low that, as the Secretary-General has pointed out, we need to start practically from scratch through a new re-commitment to the Charter of the United Nations, nearly 40 years after its solemn proclamation.

20. Nor, apparently, will the super-Powers consider favourably the creation of new avenues for progress, new initiatives for dialogue. For many years now, Malta, right at the centre of Mediterranean instability and conscious of the inherent danger of such a situation, has ardently been advocating a new spirit of independent dialogue between Europe and the countries bordering the Mediterranean, designed to herald a new awakening of the Mediterranean identity and to build new foundations for peace based on co-operation.

21. We therefore find it surprising, indeed disquieting, that those same countries which themselves belong to several regional organizations are the ones that frown on the creation of a mechanism for effective Mediterranean co-operation. They are the first to extol, as they frequently do, the benefits of the regional and sub-regional organizations to which they belong; yet they profess to see no need to consider some concrete form of preliminary work for reducing tension and increasing the sectors of Mediterranean co-operation. Instead of working for the creation of a zone of peace they seem to prefer a sea of instability to remain in the region.

22. My Foreign Minister, in his statement before the thirty-seventh session of the General Assembly,[1] and I myself on numerous other occasions have given concrete examples of what can and should be done, gradually but surely, to reverse the present trend, which is perhaps at one of its most dangerous periods even right now as we speak in the Council. We hope, therefore, that the favourable response we are seeking in the process of the Conference on Security and Co-operation in Europe will soon be forthcoming.

23. In short, instead of throwing up our hands in resignation and despair, we need to commence a search for a change of attitude, for patient understanding and for the dedicated collegial work necessary to turn the present tide away from disaster—both here, in established regional organizations to which we belong, and in the new ones which need to be created.

24. So much for the general approach as it relates not only to the Mediterranean but equally to other sensitive areas.

25. Let me now refer briefly to the issue between Chad and Libya. We very much regret that the process favoured by the Council, as it unanimously pronounced itself on 6 April [*2430th meeting*], has not yet been embarked on. We recognize that, on the contrary, the situation has in fact deteriorated.

26. We very much regret the loss of life and property suffered by the people of Chad as a result of the intensified conflict. The people of Chad need to be left alone, completely free of any outside interference, so as to overcome their internal problems through dialogue and reconciliation and to orient their efforts to economic and social development under a Government of their own exclusive choice.

27. For that they need the help and patient understanding of all countries, and particularly of their neighbours. My own country pledges to extend any help necessary within its modest means. We are glad to note the constant readiness of the Organization of African Unity (OAU), which is apparently meeting even now, to continue to seek a peaceful solution, if necessary even to send fact-finding missions. We believe that the Council should urge the speedy cessation of hostilities, a subsequent withdrawal of all foreign forces and offer to help and to back the efforts and good offices of the OAU to promote national reconciliation within Chad and good relations with its neighbours. This, it seems to us, is the only way to progress.

28. We stress once more that it is only natural for regional States themselves, which bear the primary responsibility for safeguarding the peace and security of their own region, to take the initiative. We do not believe that the brandishing of military hardware, however limited in scope and objective, can help; unfortunately, it only superimposes extraneous considerations which tend to exacerbate, rather than to alleviate, any local tension which may exist. The road to peace lies not in strife but in a dialogue amongst equals, helped by the regional organization concerned and backed by the Council.

29. Mr. MASHINGAIDZE (Zimbabwe): Mr. President, I have already expressed my delegation's great pleasure at seeing you in the Chair directing the Council's affairs this month. My main objective this afternoon is to state my Government's position on the matter which is before the Council.

30. It will be recalled that on 19 February of this year the Government of Libya requested the Council to meet urgently "to consider the deteriorating situation near the Libyan shores that could jeopardize the security and peace of the region and the world" [*see S/15615*]. The Council then met to consider the situation which, as members will remember, was attributed to what the Permanent Representative of Libya characterized as "provocative military actions of the United States Administration" [*ibid.*]. Libya had objected to the presence of the United States nuclear-powered aircraft-carrier *Nimitz* and some other naval vessels near its coast. It had also complained of the dispatch of four AWACs aircraft to one of its neighbours. As far as Libya was concerned the presence of those planes was a form of aggression against its own territory and they were to be used for the purpose of spying over Libyan territory.

31. As members of the Council know, Libya has once again drawn urgent attention

> "to the intensification of United States intervention in the affairs of the regions of the Mediterranean, the Middle East and Africa to the acts of intimidation and provocation directed against the Socialist People's Libyan Arab Jamahiriya, which is a part of these regions, as well as to the consequences of the dispatch of United States forces and military equipment to the said regions" [*see S/15914*].

32. The representative of Libya has also told the Council that his Government regards United States activities as constituting a flagrant violation of the Jamahiriya's territorial waters and airspace.

33. While agreeing that the Council is confronted with "a most grave threat to international peace and security" [*see 2464th meeting, para. 32*], the United States representative has however attributed this situation to Libya, which he has accused of "brazen, contemptuous challenge

to the bedrock principles of the Charter of the United Nations" [*ibid.*]. He has also dismissed Libya's current complaint about provocation and aggression as a mere smokescreen of patently diversionary charges, in his opinion designed to divert attention from Libya's own aggression against Chad.

34. Those, therefore, are the charges and countercharges before the Council. However, one thing is clear to the Council: these charges and countercharges by the two parties are symptomatic of a dangerously escalating situation of tension which, unless ended immediately, may lead to open conflict, with grave consequences for peace and security in North Africa, the Mediterranean and other regions. The Council, the only international body charged with primary responsibility for world peace and security, must therefore make it abundantly clear to the two parties that they are under obligation to avoid any acts likely to disturb peace and security not only in those regions but anywhere else in the world. As Members of the United Nations the parties must scrupulously observe all the principles outlined in the Charter with regard to the peaceful settlement of disputes. The parties should be told in no uncertain terms that, while affirming every nation's right to pursue its own interests as it perceives them, the Council does require every Member of the United Nations to refrain, in pursuing and promoting its national interests and in conducting its international relations, from the threat or use of force against the territorial integrity or political independence of other States.

35. In the meantime, the massive intervention by foreign Powers has seriously complicated the situation in Chad. It is therefore our firm conviction that peace and stability in Chad can be restored only by the immediate and unconditional withdrawal from that country of all foreign military forces and war materials.

36. Mr. UMBA di LUTETE (Zaire) (*interpretation from French*): I am speaking again before the Council in order to state my country's position on the issue before the Council. I shall do so unambiguously and forthrightly.

37. First, however, I wish briefly to mention the Libyan allegations and insults with regard to my country and its leaders. Those insults began on Thursday, 11 August, and continued through Friday, 12 August. And there is every reason to suppose that there will be more in the days to come. However, as the saying goes, the dog howls and the caravan passes on. Invective is usually the recourse of those who are in the wrong.

38. When, in my right of reply on 3 August, I spoke of a "naked madman" several representatives then present in this room laughed. However, after the various statements made by our Libyan brother, who was visibly ill at ease—and who would not be, given such unspeakable behaviour—I imagine that those same representatives are even more convinced that the proverb I employed has a firm basis in reality.

39. Faithful to our line of conduct, therefore, I shall refrain from mentioning all of those insults and, indeed, from employing the same vocabulary with regard to Libya and its leaders. And yet everyone in this chamber knows that there is much to be said on their account.

40. I would merely inform him that his insults have not touched us. We will never disown our friends, and it is not for Libya or for any other country—friend or foe—to dictate our choices to us.

41. I would also remind him that all countries in the world have some amount of debts; yet Zaire retains its dignity. In any event, never will a Zairian go to Libya begging for alms.

42. Frankly, I should think it would make our Libyan brothers feel embarrassed, and even ridiculous, to boast about their wealth every time they are implicated or caught red-handed in some misdeed. They sound like a worn-out gramophone record. Does wealth, after all, justify aggression?

43. As it happens, Africa and the world community are once again accusing Libya of interference in Chad's internal affairs and are calling upon it to halt that aggression.

44. First, the Libyan representative denies any intervention by his country in the affairs of Chad. He justifies what is going on in Chad, claiming that it is a civil war amongst the people of Chad alone. As my colleague from the Ivory Coast recalled, Mr. Goukouni Weddey left Chad without even a suitcase. Even if he was able to take a suitcase with him, I still find it a bit hard to believe that any suitcase made is large enough to contain fighter aircraft, bombers and tanks—equipment that Mr. Goukouni never possessed while he was in Chad. Libya alone denies its intervention and aggression against Chad, even though we have a vast amount of incriminating evidence to prove it.

45. Despite all that evidence, Libya attempts to justify the aggression, claiming that the Government of N'Djamena is illegitimate. The response to that is that it is not up to Libya to legitimize or illegitimize Governments in the world. In any event, the Government of Mr. Hissein Habré is a legitimate one. Having run out of arguments and in an attempt to gain time, the Libyan representative then cries out against the aggression supposedly being planned by certain States against his country.

46. Although as the Libyan representative himself is aware that is a mere ruse, let us speak of that complaint.

47. Aggression is a serious act, and since my country has frequently been the victim of aggressions from all sides it must deal with this complaint with the seriousness the subject deserves.

48. Let us ask, therefore: what does it involve? Is there aggression against Libya or are there facts or at least indications that would lead one to believe that there is a conspiracy against that country?

49. Let us briefly recall the facts: some time ago Libya annexed the Aouzou Strip, which belongs to Chad. Chad complained to the Council [*S/15643*], and our body invited the parties involved not to take advantage of the *fait accompli* and to enter into negotiations.

50. In order to avoid having to return that piece of land, and with the complicity of a disciple who might moreover be able to help it to annex all of the territory of Chad, which it knows to be rich in raw materials, Libya commits aggression against Chad. Chad calls upon its friends, and some countries, including my own, fly to the assistance of the victim. None of those countries against which Libya claims to have a complaint is to be found to be occupying that country's territory, not even in the Aouzou Strip, an area which, though disputed, belongs to Chad, as everyone knows. Not one shot has been fired against Libya.

51. In these circumstances, who is the real aggressor? The answer is patently obvious. Hence, is the complaint of our Libyan brothers well founded? Certainly not.

52. If, upon leaving this chamber, we should suddenly encounter a wicked wolf or a kind of King Kong determined to devour or crush an innocent baby, no matter how peace-loving or justice-loving one may be, would it not be a spontaneous reaction to cast at least one stone in the monster's direction?

53. What Libya wants, however, is to have its hands left free to pursue its aggression and to engage in destabilization and destruction. For that reason, my delegation feels that our brother from Sudan made a perfect analysis when he stated:

> "Libya's designs and plots have one and the same source and present an unchanged scenario. In the past—last February, to be specific—while Libya prepared to launch aggression against my country it hastened to complain to the Council [*S/15615*] about the provocations and threats of the United States of America, which were said to jeopardize its security and safety and to be part of an aggressive plot aimed at toppling the régime in Libya. The Council convened [*2415th to 2418th meetings*], and all members know the rest of the story, which I need not go over once again. Suffice it to say that the régime which was said to be threatened has remained intact and unharmed to date. Today, while Libya is flagrantly and directly intervening in another neighbouring country, using all kinds of land and air weapons against it and against the suffering people of Chad, subjecting the country to the worst torture, displacement and murder, Libya once more comes before the Council claiming, as it has in the past, that its security and safety are threatened. What we are again witnessing today reminds us of a popular saying in Sudan, a saying that unmasks such deception: 'He transgresses against me, then with crocodile tears hastens to complain.' That is an exact expression of the essence of what Libya has now had recourse to at the international level to camouflage its aggressive plots and designs against its neighbouring States and peoples.
>
> "Libya's request for an urgent meeting of the Security Council is nothing but a ploy, a poor attempt to deceive the Council as well as the whole international community and to divert their attention from the present situation. Whereas attention should be focused on the wanton, stark aggression perpetrated by Libya against the people and Government of Chad, Libya is trying to obstruct the Council from continuing its meetings on that subject, which started on 3 August [*2462nd meeting*], to consider the legitimate complaint raised by Chad [*S/15902*] against Libya's aggression and intervention, striking by land and air towns and villages in Chad, using internationally prohibited weapons, such as phosphorous, fragmentation and napalm bombs, as we were told yesterday by the representative of Chad [*2463rd meeting*] and as we learned from the various mass media on a daily basis. Libya also helps the rebels and insurgents, and recruits mercenaries to work against the sovereignty, independence, security, safety and territorial integrity of Chad.
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> "We are confident that Libya's stratagem will not deceive the international community and that it will not attract the Council." [*2466th meeting, paras. 108 to 110.*]

54. Be that as it may, I can state that the reaction will not change.

55. Libya's manoeuvres had already failed at the first and second meetings at Tripoli; they failed at Managua and New Delhi and, even more recently, Addis Ababa. They also failed during the attempts to destabilize Morocco, Egypt, Sudan and other States. I am sure that similar attempts will fail in the cases of the Palestine Liberation Organization and Chad. but meanwhile we must stop the flow of blood. Perhaps their present failure will be a final lesson to our Libyan brothers to devote their resources to the development of their population and not to foment trouble and cause havoc in other countries.

56. To put an end to its consideration of the Libyan complaint, having shown the futility of that complaint and having listened to the punctilious reading by our Libyan brother of statements unrelated to the subject under discussion—it is to be hoped that next time he will not come to read to us from the Bible or the Koran—the Council would do well to close the debate on this question.

57. As regards the Libyan aggression against Chad, I can sum up my position no better than by adopting the statement of the representative of the Soviet Union on 12 August this year. I paraphrase what he said as follows:

> "[Zaire] demands an immediate cessation of interventionist actions undertaken to the detriment of the national unity of the Republic of Chad and the cause of peace in Africa and throughout the world. Such actions [I would add 'this aggression'] and hegemonistic claims are in flagrant violation of the fundamental principles of the Charter of the United Nations and

other international documents signed by [Libya]" [*2465th meeting, para. 19*].

58. It is the Council's duty to help Chad to return to peace, under the guidance of its legitimate Government, that of Mr. Hissein Habré. All of us in the Council certainly believe in the principle of negotiation, but with whom should the Government of Chad negotiate? Should it negotiate with Libya—that is, with the aggressor? I think not. One does not negotiate with the aggressor. The aggressor must withdraw unconditionally and leave the people of Chad to get down to reconstructing their country.

59. The PRESIDENT (*interpretation from French*): The next speaker is the representative of India. I invite him to take a place at the Council table and to make his statement.

60. Mr. KRISHNAN (India): May I extend to you, Sir, the felicitations of my delegation on your assumption of the presidency for the current month. We are especially happy to see you occupying this high office. France and India have traditionally enjoyed a very cordial relationship marked by warmth and close co-operation in various fields. Your high diplomatic skill and experience and personal qualities are well known. We are confident that under your wise and able leadership the Council will be able to discharge its responsibilities in a satisfactory manner.

61. Recent developments in the North African and Mediterranean regions threaten the delicate fabric of peace and security, not merely in the immediate region, but in the world at large. Naturally, they have caused profound concern and distress to the Government of India.

62. We have followed these disturbing events closely, and my delegation has listened with attention to the statements made by all the representatives concerned in respect of the communication addressed to the Council by the representative of the Libyan Arab Jamahiriya [*S/15914*], as well as the communication addressed to it by the representative of Chad [S/15902]. Our concern and anguish have become even greater.

63. What we are witnessing today is a sharp escalation of tension and conflict in the Mediterranean and North African regions. This is the result of an increasing recourse to the use or threat of force, and to military intervention and interference, in violation of the purposes and principles of the Charter of the United Nations. The Movement of Non-Aligned Countries has always taken a firm stand against all forms of foreign aggression, occupation, domination, interference or pressures. It rejects all forms of subjugation, dependence, interference or intervention, direct or indirect, overt or covert, and all pressures—political, diplomatic, economic, military and cultural—in international relations. Likewise, it is resolutely opposed to great-Power and bloc policies tending to perpetuate the division of the world into blocs or spheres of influence.

64. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, reaffirmed the need for strict adherence to the principles of non-intervention and non-interference in the internal and external affairs of States. They likewise reaffirmed the right of all States to pursue their own economic development without intimidation, hindrance or pressure [*see S/15675, annex*]. My delegation hopes that these principles will be observed by all States, as they are consistent with the Charter of the United Nations and fundamental to the maintenance of international peace and security.

65. It was largely as a result of the efforts of the member States of the Movement of Non-Aligned Countries that the General Assembly adopted on 9 December 1981 the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, contained in the annex to resolution 36/103. This Declaration was a historic achievement. Together with the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,[2] it provides a framework of inter-State relations based on mutual respect for sovereignty and independence, consistent with the purposes and principles of the Charter. The Movement of Non-Aligned Countries at the above-mentioned meeting noted with concern that policies of intervention and interference, pressure and the threat or use of force continued to be pursued against many non-aligned countries, with dangerous consequences for peace and security. My delegation fervently hopes that all States will adhere to these Declarations and observe these principles in their dealings with other States.

66. My delegation has supported efforts at the United Nations to bring about peace and stability in the Mediterranean region. The Mediterranean has often in history been the theatre of confrontation and conflict. The situation in the region is delicate and complex, exposed as it is to the repercussions of developments on sea and land around its shores. Non-aligned countries have been striving to transform the Mediterranean into a region free from crisis and conflicts. They have called for the reduction of tensions and the solution of problems in accordance with the Charter so as to turn the Mediterranean into a region of peace, security and co-operation. We hope that all States will join hands in this common endeavour and refrain from any action which could exacerbate an already grave situation in the region.

67. We are particularly concerned at the present situation as it also threatens the unity and solidarity among non-aligned countries. Indeed such unity is all the more necessary in dealing with the present situation. The New Delhi Conference recalled that the principle of the peaceful settlement of disputes remains central to the philosophy of peaceful coexistence advocated by non-aligned countries. It noted that disputes and conflicts among non-aligned countries cause serious human and material loss to the economies of the countries concerned and pose threats to the peace and progress of their peoples as well as to the cohesion and solidarity of the Movement of

Non-Aligned Countries. The Conference further reiterated that the non-aligned States should be guided in their mutual relations by the principles of strict mutual respect for the independence, sovereignty and territorial integrity of States, the inviolability of legally established international frontiers, non-interference and respect for the right of peoples to free national and social development. It also called for all disputes to be resolved exclusively by peaceful means in full conformity with the purposes, principles and provisions of the Charter of the United Nations and the principles and objectives of the Movement of Non-Aligned Countries, as well as within the framework and principles of regional organizations such as the OAU without interference and without recourse to pressure, threat or use of force.

68. We cannot but avail ourselves of this opportunity to express our anguish at the sufferings of the people of Chad. That country has lived through strife and violence for almost the entire period of its independent existence, strife which has drawn it into the vortex of extraneous influences and outside pressures. Not only has this strife brought misery to the Chadians, but it has also served to exacerbate tensions in the entire North African region. We are against any action which tends to internationalize the situation in that country. Such internationalization would only serve to intensify and globalize the on going armed conflict and to make the situation even more serious and more difficult of eventual solution. The future of Chad is the sole responsibility of the people of Chad, and it is for them to resolve their problems free from outside intervention or interference of any kind from any quarter, near or far.

69. The urgent imperative of this hour is the exercise of restraint on all sides so that the fighting which threatens to engulf the whole area can be ended immediately and the process of dialogue in search of peace and reconciliation begun without delay. We are confident that the people of Chad and the OAU have the will, the capability and the means to find a solution to this essentially African question. We support all efforts to promote a solution within the framework of the OAU and in the light of the decisions taken at the nineteenth session of the Assembly of Heads of State and Government of the OAU, held at Addis Ababa last June. We trust that peace and harmony will soon return to that unhappy land so that the people of Chad can turn their attention to the constructive task of building their nation and to its much needed economic development.

70. I should like to conclude by expressing the hope that the Council will be able to take meaningful action to deal with the present situation, in accordance with the purposes and principles of the Charter of the United Nations, so that the threat of a wider conflict is averted.

71. Mr. LING Qing (China) (*interpretation from Chinese*): The situation in Chad has been deteriorating for some time now. New tensions have flared up recently because of the intensified super-Power military activities in the area. This cannot but cause serious general concern.

72. It is known to all that there are certain differences and disputes among countries in the region. However, these are all third-world countries whose differences and disputes can and should be resolved in a fair and reasonable manner through peaceful consultations within the framework of the OAU and the League of Arab States in accordance with the principle of respect for independence, sovereignty and territorial integrity. As a matter of fact, the afore-mentioned regional organizations have continually been making positive efforts for mediation.

73. No infringement of or threat against the independence, sovereignty and territorial integrity of the countries there by any outside forces should be permitted. Meddling by super-Powers can only make the situation more complicated and aggravate tension, thereby jeopardizing the peace and security of the region and even the world at large. These developments therefore call for high vigilance.

74. Mr. ICAZA GALLARD (Nicaragua) (*interpretation from Spanish*): Allow me, Sir, to state my delegation's satisfaction at seeing you presiding over the difficult debates of the Council this month. You represent a country and a people with which my own enjoy solid relationships of friendship and co-operation based on objective and fraternal understanding of the reality of Central America. Nicaragua has every confidence in your experience and your skill as a diplomat, and we are sure you will conduct our debate wisely.

75. Today my country has to refer to a situation that confirms that the policies of intimidation and the threat of force—policies of provocation and of demonstrations of force—against independent countries are not limited to Central America. The big stick policy and gunboat diplomacy have been rightly criticized by many Governments around the world and by the people of the United States itself.

76. On 27 July 1983 the Co-ordinating Bureau of the Non-Aligned Countries, at the request of Nicaragua, emphasized what was stated by the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, that the halting of military manoeuvres or demonstrations of force would reduce tension and facilitate dialogue to achieve negotiated political solutions to the problems of the region [*see S/15896, annex*].

77. In fact, the Co-ordinating Bureau, in urging the United States to reverse its decision to carry out naval manoeuvres, emphasized a position of principle, which it behoves us to stress once again, as follows: "expresses its opposition to the holding of military manoeuvres as a means of exercising pressure" [*ibid.*].

78. Moreover, it must be understood that the presence of United States warships and aircraft carriers off the coasts of my country or of Libya is not a simple military exercise but, rather, a dangerous step towards aggression.

79. The deployment of United States forces in the Mediterranean, with the repositioning of the nuclear aircraft

carrier *Eisenhower* and the holding of the military manoeuvres called "Bright Star 83"—all very close to Libya—are acts of provocation which do not contribute to a relaxation of tension, nor do they foster reconciliation between the parties in conflict. These enormous military activities violate the spirit of the Declaration of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, since they do not promote the transformation of the Mediterranean into a zone of peace and co-operation.

80. With the same intention of exercising threats and intimidation—this time against Nicaragua—the military manoeuvres called "Big Pine II" are under way. According to spokesmen of the United States Administration itself these manoeuvres involve more than 4,000 United States soldiers and an enormous fleet of warships on both coasts of Nicaragua. Even if, as the Administration maintains, it is a mere show of force, it is an unnecessary exercise, since Nicaragua does not question the strength of the most powerful country on Earth.

81. However, the aims of these manoeuvres are not so simple or so limited in scope; firstly, they are directed against countries with a common denominator, namely, a genuinely non-aligned policy; and, secondly, they are an instrument for domination and subjugation, the purpose of which is to curb the drive and determination of these peoples. To put it more clearly, they are a way of exercising diplomacy which at the end of the twentieth century is unacceptable to the overwhelming majority of the countries comprising the international community.

82. Just as in Central America, the situation in North Africa is complex. Undoubtedly, some of the social upheavals that are violently convulsing some countries as a result of under-development and exploitation are having an impact at the regional level.

83. African peoples have the political wisdom and the adequate leadership to meet the challenges of their own history by recourse to the ways and means which they themselves have created. For these reasons, we reject the reference to spheres of influence made by the President of the United States on 11 August. Africa, we believe, is a sphere of influence solely for Africans.

84. With regard to the conflict in Chad, Nicaragua wishes to place on record its position of principle and appeal for a halt to outside intervention in the domestic affairs of Chad. That country's people have the sole and exclusive right to resolve their own problems and decide on their own future with complete sovereignty.

85. Fortunately, our African brothers have a genuinely regional organization representing exclusively regional interests, and Nicaragua trusts that, within the framework and the principles of the Organization of African Unity, all efforts will be made to achieve peace and security in Chad and in the region as a whole.

86. Our country's own experience of threats and aggression compels us to oppose any policy of intervention. We stand by the principle that all States must be constantly guided by the principles of strict respect for the independence, sovereignty and territorial integrity of other States, non-interference and upholding the right of all peoples to self-determination.

87. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Czechoslovakia. I invite him to take a place at the Council table and to make his statement.

88. Mr. KULAWIEC (Czechoslovakia) (*interpretation from Russian*): Mr. President, I thank you and the members of the Council for granting my delegation an opportunity to participate in the debate. We are pleased to associate ourselves with the congratulations addressed to you, Sir, on your assumption of the presidency for the month of August. We are sure that your experience and ability will greatly assist you in guiding the work of the Council effectively.

89. This is not the first time this year that the Council is obliged to discuss the provocations and hostile acts of the United States against Libya. The Council has taken this step because Libya is faced with continuing and further escalating direct military threats and pressure aimed against its independent, anti-imperialist and non-alignment policy.

90. At this time American naval, air and land forces are operating not far from Libya's borders. United States military aircraft are engaged in acts of provocation in close proximity to Libyan borders. American AWACs aircraft are carrying out open reconnaissance of Libyan territory. Four States of the region, two of which have direct borders with Libya, are the arena for broad military manoeuvres with the participation of United States forces, which is the largest demonstration of American military strength in North Africa since the Second World War. These military actions are accompanied by a broad slanderous campaign against the Libyan people and its leaders. This campaign includes direct military pressure and armed provocation.

91. All this taken together serves as a pretext for interference in the internal affairs of Chad, for sending large numbers of military advisers, mercenaries, regular troops and foreign interventionists and for increasing the supply of weapons to that neighbour of Libya's. The military, political and propaganda pressure on Libya is accompanied by economic blackmail on the part of the United States in order to undermine the development plans of the Libyan people. Libya, whose people chose the path of constructing an independent, economic and social system, has been subjected to subversive and provocative acts by American imperialism virtually from the moment of the September revolution. That dangerous policy and those acts of pressure are a cause for concern for all peace-loving States. The American people has been following those acts with concern because they are in violation even of the internal legislation of the United States and, in particular, of the United States Declaration of Independence.

92. The acts of pressure and provocation against Libya carried out by the policy of the United States and other imperialist Powers are nothing exceptional or new. They form a component of a global strategy of imperialism and should be seen as part of the escalation of the policy of acting from a position of strength; the policy of diktat, of confrontation in relations between States; interference in the internal affairs of certain States; the stirring up of existing hotbeds of tension and the creation of new ones, as well as the waging of undeclared wars against certain independent States. The most notable examples of that policy today are the Israeli aggression in the Middle East, the broadly condemned support of it by the United States Administration and actions aimed at overthrowing the Sandinist Government of Nicaragua. Part of that policy is to include virtually all regions of the world in the so-called sphere of vital interests of the United States.

93. In addition, as we can see from a recent cynical statement by a senior representative of the United States Administration, the imperialist Powers continue their old colonial practice of applying their policy of spheres of interest to the peoples of independent, developing and non-aligned countries. The leaders of the signatory countries of the Warsaw Pact stated in June 1983 that that policy was leading to a further increase of tension, to a further destabilization of relations between States and to an increase of the threat of nuclear war, with all its catastrophic consequences.

94. The Czechoslovak Socialist Republic belongs to those States which are building their relations with the Socialist People's Libyan Arab Jamahiriya and other States on a completely different basis, that is, on the basis of peaceful co-existence of States, on the basis of equality, non-interference in internal affairs, on a policy of mutual advantage, on respect for the fundamental principles of the Charter of the United Nations and international law, on the expansion of mutual co-operation and on establishing conditions for strengthening and further deepening the social and economic achievements of countries.

95. Czechoslovakia greatly appreciates the fact that Libya is pursuing a policy of non-alignment and supports its active participation in the anti-imperialist, anti-Zionist and anti-racist struggles, as well as in the struggle to strengthen peace and co-operation among peoples. It is that policy which forms the basis of the high level of relations among States and which is reflected in the Treaty of Friendship and Co-operation between Czechoslovakia and Libya, signed during the visit of the Libyan leader, Muammar Qaddafi, to Czechoslovakia in August 1982.

96. We are convinced that only such an approach to relations between States, only respect for the principles of the Charter and other principles of modern international law which regulate relations of peaceful co-existence and co-operation among States, can form an acceptable course of action for the conduct of States. We condemn the psychological warfare and acts of intimidation, military pressure and provocation against Libya. The cause of international peace and security makes it necessary for the Council, in discussing Libya's well-founded complaint, to condemn the aggressive acts of the United States against Libya and to take every opportunity to put an end to those acts in the near future and prevent their repetition.

97. The degree of responsibility of each member of the Council before the international community becomes even greater because involved in this question is the conduct of a State which, from the very beginning of the existence of the United Nations, has used armed force to achieve its political goals almost 300 times.

98. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the German Democratic Republic. I invite him to take a place at the Council table and to make his statement.

99. Mr. HUCKE (German Democratic Republic): I already had the privilege, on the occasion of the debate on the situation in the occupied Arab territories, of expressing to you, Sir, the congratulations of my delegation on your assumption of the presidency for the month of August. I should like to thank you, and through you the members of the Council, for giving me this opportunity to explain the position of my country on the question on the agenda of today's meeting.

100. Once again the Council is considering a problem in the region of the Middle East and the Mediterranean. Back in February of this year a debate took place on the dangerous situation in that area as a result of military provocations by the United States [*2415th to 2418th meetings*]. Since then the situation has become further aggravated. My delegation therefore understands the request made by the Libyan Arab Jamahiriya for the convocation of an urgent meeting of the Council.

101. World public opinion has been following with great concern the mounting provocative actions by the United States. In various regions of the world the main imperialist Power is attempting through a "show of force" to counter any efforts taken by non-aligned countries in Africa, Latin America and Asia towards independent development. That becomes quite obvious from the new threats to Libya by the provocative manoeuvres of United States warships off the Libyan coast, as well as by the flights of espionage aircraft over the territory of sovereign African States. At the same time, the United States and its allies are holding extensive military manoeuvres not far from the border of the Libyan Arab Jamahiriya.

102. It is obvious, as was stated by the representative of the Libyan Arab Jamahiriya, that the provocative military actions of the United States are part and parcel of a global policy of threats and confrontation by the imperialists.

103. It is no secret that the imperialists pursue their aim of expanding their military presence in the Middle East and enforcing their hegemonic aims in that region. The peace-endangering character of the "strategic alliance" between the United States and the aggressor, Israel, and

the collaboration of those fateful forces against the will of the peoples for a comprehensive, just and durable solution of the Middle East conflict can very easily be understood. However, in order fully to comprehend the extent of the danger to peace, it is necessary to take a look at the situation in other parts of the world, too.

104. By large-scale "military demonstrations" in Central America, the ruling circles in the United States continue to launch new provocations and to threaten the sovereignty and independence of sovereign States. Their objective, above all, is to bring down Sandinist Nicaragua. In southern Africa, the *apartheid* régime is encouraged by imperialist collaboration to commit new acts of aggression and to stop progressive developments in Africa. In Western and southern Europe, extensive military manoeuvres under the name "Autumn Forge" are being prepared by the United States and its allies of the North Atlantic Treaty Organization. Also, in South-East Asia, imperialist forces stir up fresh tensions.

105. Such military activities are not only the cause of the aggravation of tensions and of the destabilization of the situation in the Middle East, the Mediterranean, Latin America and other parts of the world, but at the same time are also aimed, for instance, at preparing the ground for the deployment of United States nuclear medium-range missiles in Western Europe in autumn of this year, an act that would threaten the security not only of Europe but also of the Middle East region and the Mediterranean.

106. This is an issue that deeply concerns the people of the German Democratic Republic, too. The most recent military provocations and the attempts of imperialist Powers to interfere in the internal affairs of independent States and to achieve neo-colonialist objectives through pressure, blackmail, gunboat diplomacy and the threat and use of force, require the unity of all progressive States and forces throughout the world in the struggle for the preservation of peace and security. Persistent action by all the forces for peace is a constructive answer to the policy of confrontation pursued by imperialism.

107. True to the principles of its socialist foreign policy and in devotion to the purposes and principles of the Charter of the United Nations, the German Democratic Republic opposes any military and political action that dangerously increases tensions; we unswervingly advocate a peaceful solution to all international issues. Along these lines, my country supports the most recent efforts of the OAU to chieve a peaceful solution of the problems in Chad.

108. My country firmly sides with peoples that defend their national independence and sovereignty against all attacks by imperialist and reactionary forces; it stands firmly by the side of the Libyan people in its struggle to exercise its independence and national sovereignty during this situation, which is complicated by the growing number of military provocations on the part of the United States of America.

109. The PRESIDENT (*interpretation from French*): The representative of the Libyan Arab Jamahiriya has asked to exercise the right of reply, and I now call on him.

110. Mr. BURWIN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): I should like to reply to the representative of Zaire even though he does not represent an independent Government and is but an agent.

111. In his book entitled *The World Challenge*, Mr. Jean-Jacques Servan-Schreiber wrote:

> "The United States sees Zaire's position in Africa like Brazil's in South America. . . .
>
> "Mobutu got the foreign money and then set up a household guard of Europeans and South African mercenaries. This top-secret operation was co-ordinated by Colonel Mike Hoare, former commanding officer of the famous Sixth Commando unit which, with CIA [*United States Central Intelligence Agency*] help, had put Mobutu in power."*

112. Hence, Mr. Mobutu would want to strengthen the notion of protecting the client régimes of the United States, South Africa and Israel, from the outside, since Mobutu found himself in a critical situation: having seized power with the assistance of the CIA, his downfall was prevented through the overt protection of Belgian, French and Moroccan forces.

113. Therefore, Mobutu has aided Habré, to avoid being accused of being the only régime to enjoy foreign protection—a notion he wants to promote in Africa.

114. The representative of Zaire stated that Zaire, like any other State, has debts—to which I reply: true, many States have debts, but they do not have rich Presidents. For instance, Zaire's debts amount to $4 billion, and the personal finances of President Mobutu amount to $4 billion, meaning they are equal.

115. Some spokesmen interested in the military manoeuvres say that those exercises are innocent, had been prepared in advance and do not constitute a threat to anyone. I should like to state, however, that there are no innocent manoeuvres: military manoeuvres always have a certain political significance and are linked to certain events. Yet it is claimed that those manoeuvres were scheduled long ago. But the fact is that that attempted justification is not new. We have become accustomed to the United States Administration's preparation and shelving of plans for future implementation at the appropriate moment.

116. According to the representative of the United States, Libya is threatening its neighbours. That is not true. We are a small country whose population of 3 million people desires to live in peace. But let us look at the

* Quoted in English by the speaker.

actions of the United States Administration towards some of its neighbours or towards those that try to escape from its sphere of influence. It occupies the Guantanamo base despite the wishes of the Cuban people. Did the Cuban Government request the presence of United States troops?

117. Let us look at Grenada, which is prevented from even the establishment of an airport. Let us look at Suriname, which recently unmasked a CIA plot. Then let us look at Nicaragua and at the support for insurgents rebelling against legitimacy: did the Government of Nicaragua request the United States presence? Let us not forget El Salvador, Chile and all the others, or United States piracy on the high seas.

118. He who lives in a glass house should not throw stones at the houses of others.

119. It is clear from statements by United States officials that the aim of dispatching arms, tanks, aeroplanes and warships to that region is not to help the people of Chad or to support legitimacy—if legitimacy there be. The primary target is the Libyan Arab Jamahiriya, and the intent is to create a justification for launching aggression against it, smashing its military forces and undermining its economic capacity and the achievements it has made so far, in order that it should not exemplify the distribution and good use of wealth and the prevention of control of its economy by American monopolies, as exerted in Zaire, the Sudan and other countries.

120. The President of the United States of America has stated, and it has been reiterated by other American officials, that "Chad falls within the French sphere of influence and that it is up to the French Government to intervene there." It thus becomes clear that the aim of the United States is not to protect the interests of the people of Chad, but rather to carve spheres of influence. Habré, Nimeiri and Mobutu are nothing but tools and guardians of the interests of colonialism, as if the world were a plantation owned by the Americans.

121. Let us examine the United States position on racism, because this will furnish much proof of United States support for racists and racism. It has gone counter to the will of the 124 States which participated in the Second World Conference to Combat Racism and Racial Discrimination, which concluded last week in Geneva, by boycotting that Conference, along with Israel. That is because the Conference concerned itself with racist practices in South Africa and in occupied Palestine. In addition, the United States has taken a position in the General Assembly in support of the *apartheid* policy of the Government of South Africa. Hence, General Assembly resolution 37/69B of 9 December 1982 on concerted international action for the elimination of *apartheid* was opposed by the United States and two other States when it was put to the vote on 9 December 1982. That resolution was supported by 135 States.

122. That gives a picture of the position of the United States on the international scene.

123. The PRESIDENT (*interpretation from French*): I call on the representative of Zaire, who wishes to speak in exercise of his right of reply.

124. Mr. UMBA di LUTETE (Zaire) (*interpretation from French*): I was not expecting to have to speak again in this meeting, but when I spoke earlier I predicted that equivocation and insults might be in store for us. As always, when they have no arguments what do they do instead of addressing the question before them? They tell us the same old stories. Everything the Libyan representative has just told us he has already said in previous statements. As I say, I do not want to respond to his insanities, but I ask rather whether he would not have been smarter to bring the Bible or the Koran into the Council chamber; perhaps if he had read to us from one of those books we would have had somewhat more inspiring ideas and words before us. It is not enough to quote an author who, in any case, puts forward absolutely no proof for what he claims. Besides, what does that have to do with the present debate?

125. We are talking of aggression. You are attacking Chad. You want to install one of your disciples as the head of Chad. You have long stated that your country has enough territory and that it absolutely does not want to make any further conquests. Very well: so what have you been doing for so long in the Aouzou Strip? Everyone knows very well that that land, the Aouzou Strip, does not belong to you, so what are you doing there? Maybe you are starting to wonder what will happen when your oil runs out; as you know, the Strip is very rich, and perhaps that is why you are clinging to it, so that when the oil runs out you will have something to exploit. Be that as it may, the problem before us today is the problem of aggression. Reply to that question, my Libyan brother, and stop repeating yourself.

126. I, and many other speakers, have stressed that this is your tactic: when you are challenged in your pillaging you cry "Help!", while everybody knows that you are in no danger. As we said the other day, it is a little like a thief who is caught in the act and who cries, "Stop thief!". But it is he who is the thief. And in this case, it is you who are the aggressor. That is what you are asked to explain. What is the use of your pointless nonsense, my dear friend?

127. The PRESIDENT (*interpretation from French*): I now call on the representative of the United States, who has asked to speak in exercise of his right of reply.

128. Mr. LICHENSTEIN (United States of America): I suspected it was too good to be true, and it was. The afternoon, it seems to me, began in a most remarkable manner, remarkable particularly for the United Nations Security Council. The statement of the representative of Malta was full of insights, wisdom and the level-headedness that we have come to expect of that representative. The statements of Zimbabwe and India, and certainly the forceful and factual statement of the representative of Zaire, all contributed intelligence and focus and substance to the matter before us.

129. I rather suspected that the level of quality would markedly deteriorate when we got to certain puppet and client States, and it did. With respect to the statements made by the representatives of Nicaragua, of Czechoslovakia, of the German Democratic Republic and of Libya, I want to make two points.

130. First, there may or may not be such a phenomenon in the world as "innocent" manoeuvres, but there sure are guilty consciences. I state it as a principle of United States foreign policy that no country and no people without a guilty conscience need be fearful of the training exercises in which the United States engages with its friends and its allies, in which it long has so engaged, and in which it continues to engage and intends to continue to engage as necessary.

131. My second and last point is that we heard much from various speakers this afternoon of what one might call the principle of let Africa be Africa, let Chad be Chad. The United States could not more heartily endorse any principle: indeed, let Africa be Africa; and, indeed, let Chad—the people and Government of Chad—determine the future destiny of Chad.

132. But, as the representative of Zaire has already suggested, when a neighbourhood bully is beating up a neighbourhood kid—a tought but pretty skinny neighbourhood kid at that—the Government and people of the United States reserve the right and indeed the obligation to respond to a request for assistance from such a Government and people. Throughout our history we have done so, we do so today, and we have every intention of continuing to do so as long as the bullies do not desist from their provocation.

133. The PRESIDENT (*interpretation from French*): The representative of the Libyan Arab Jamahiriya has asked to be allowed to speak, and I call on him.

134. Mr. BURWIN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): At the outset I should like to say that "Let Africa be Africa" was first expressed by Colonel Muammar Qaddafi, who advocated that Africa be left for Africans.

135. The representative of the United States has said that when a child is threatened or attacked the United States hastens to its rescue. In brief, we hope that that living conscience of the United States feels the plight of the Palestinians, the Lebanese and the African children in South Africa.

The meeting rose at 6.05 p.m.

NOTES

[1] See *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, 32nd meeting.

[2] General Assembly resolution 2625 (XXV), annex.

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THIRTY-EIGHTH YEAR

2469th MEETING: 31 AUGUST 1983

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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2469th MEETING

Held in New York on Wednesday, 31 August 1983, at 11 a.m.

President: Mr. Luc de La BARRE de NANTEUIL (France).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2469)

1. Adoption of the agenda

2. Letter dated 2 August 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15902)

The meeting was called to order at 11.50 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 2 August 1983 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council (S/15902)

1. The PRESIDENT (*interpretation from French*): In conformity with decisions taken at previous meetings on this item [*2462nd, 2463rd, 2465th and 2467th meetings*], I invite the Secretary of State for Foreign Affairs and Co-operation of Chad and the representative of the Libyan Arab Jamahiriya to take places at the Council table; I invite the representatives of Benin, Egypt, Guinea, the Islamic Republic of Iran, Ivory Coast, Kenya, Liberia, the Niger, Senegal, Somalia, the Sudan and the United Republic of Cameroon to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Karom Ahmed (Chad) and Mr. Burwin (Libyan Arab Jamahiriya) took places at the Council table; Mr. Soglo (Benin), Mr. Khalil (Egypt), Mr. Kaba (Guinea), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Essy (Ivory Coast), Mr. Okeyo (Kenya), Mr. Kofa (Liberia), Mr. Oumarou (Niger), Mr. Sylla (Senegal), Mr. Madar (Somalia), Mr. Elfaki (Sudan) and Mr. Towo Atangana (United Republic of Cameroon) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received a letter from the representative of the Congo in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Gayama (Congo) took the place reserved for him at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): I wish to draw the attention of Council members to the following documents: S/15928, containing a letter dated 11 August from the representative of Chad to the President of the Council; S/15935, containing a letter dated 18 August from the representative of the Sudan to the President of the Council; and S/15936, containing a letter dated 19 August from the representative of the Congo to the Secretary-General.

4. Sir John THOMSON (United Kingdom): I understand that this meeting has been called at the instance of the Government of Chad, and I do not wonder at that, since four weeks have passed since it made its application to the Council at the beginning of August [*2462nd meeting*]. I had not expected to find the United Kingdom the first speaker on such an occasion. However, since there seems a certain reluctance on the part of others I am very willing to begin this important debate—if that is the right word. I myself do not find an occasion today for polemics, for great argument, which is the normal meaning of debate; I find today an occasion for the statement of some fundamental principles, with special reference to the situation before us, which has been brought to us by the Government of Chad.

5. As I say, four weeks have passed. In that time, the dimensions of the conflict have become more serious, and there have been further casualties. Prolonged efforts have been made by members of the Council to secure agreement on a resolution to initiate some form of Council action. My delegation much regrets that these efforts have not so far succeeded. I should today like to record the United Kingdom's view that the Council should not let this matter drop. In so doing I wish to underline some of the principles which are at stake.

6. I do not need to restate the United Kingdom's attitude to the recent invasion of northern Chad and to the conflict which continues in that country. Our strong views on the inadmissibility of external intervention and the use of force are well known to members of the Council. But I consider that, as members of the Council with responsibilities which transcend national interests, we should reflect on the role which the Council has played on two separate occasions this year with regard to the grave problems facing one of the world's poorest and weakest countries. It would be dangerous to neglect the implications, not only for the parties to this dispute, but for Africa as a whole and, indeed, for the credibility of the Council.

7. In March [*S/15643*] the Government of Chad requested the Council's assistance in resolving a dispute with Libya which affected Chad's sovereignty and territorial integrity. The dispute was of very long standing. Previous efforts to find a solution—through bilateral negotiations, through the recognized regional organization and through the Council itself—had not succeeded. The Government of Chad was justified in turning to us again. It is precisely for such circumstances that the Security Council exists.

8. In response to Chad's appeal the Council acted cautiously and deliberately. Some felt that the Council should have adopted a more definitive stance—that it should, for example, have considered ways by which the dispute could be referred to the International Court of Justice. They had a point, but I think the Council was right at that stage to adopt a course which both parties accepted and which commanded the support of all members of the Council. In the presidential statement of 6 April, [*S/15688*] which was accepted with statesmanship and restraint by the Government of Chad, we called on Chad and Libya to settle their differences without undue delay and by peaceful means; we urged both sides to refrain from any actions which could aggravate the situation; and we appealed to them to make the fullest use of the mechanisms available within the regional organization, including the Good Offices Committee established by the Organization of African Unity (OAU).

9. We must now face up frankly to the fact that the Council's appeal in April has not been heeded. We are rightly much concerned with our own effectiveness as a Council. We have spent time and effort this year in a serious review of the general principles which govern our work. Here we face a specific example. What has happened since April? Sadly, but not surprisingly, the two parties have not achieved any form of bilateral accommodation. Equally sadly, our hopes that a solution could be achieved through the OAU have not so far been realized. And most reprehensibly our appeal for a peaceful settlement and our call on both sides to refrain from any actions which could aggravate the current situation have been defied by one of the parties.

10. We face a situation, as many previous speakers have pointed out, in which in recent weeks there has been a clear and indisputable external armed intervention against the Government of the Republic of Chad. Every member of the Council is aware of this. Predictably it has been denied by the party concerned, though I hope that this indicates that a prudent line of retreat is being maintained. We will all be encouraged to hear that further steps are being taken by the OAU. But this does not absolve the Council of the need to build on the modest foundations which we carefully laid down in April. We cannot honestly consider that we have discharged our responsibilities while this conflict continues and while we ourselves have initiated no specific steps to bring about a solution.

11. The conflict is of itself of the utmost seriousness. It threatens the lives and livelihood of a nation—an African nation. The principles at stake are of fundamental importance. If we do not stand up for them, the consequences for such disputes and for our standing as a Council are grave.

12. I have in mind the principle enshrined in Article 2, paragraph 4, of the Charter of the United Nations that "All Members shall refrain . . . from the threat or use of force against the territorial integrity or political independence of any State" and the principles and provisions in Article 2, paragraph 3, and Article 33, for the peaceful settlement of disputes. Our attempt in April to head off the threat or use of force failed. Now force has been used.

13. I also have in mind the principles of territorial integrity and its consequence, the inviolability of national boundaries. We have been reminded by many speakers whose countries are members of the OAU that this is a principle which is particularly cherished by the countries of Africa. To deal with the legacy of colonial boundaries and the risk of innumerable conflicts, the OAU decided by its resolution AHG/Res.16 (I), adopted at the first session of the Assembly of Heads of State and Government, held at Cairo in 1964, to respect the borders existing on their achievement of national independence. The United Kingdom attaches cardinal importance to the principle that frontiers should not be changed by force. It will not help the cause of peace throughout the continent of Africa if we condone the erosion of this principle. There is a risk here of opening a Pandora's box of troubles.

14. Another principle which is directly in question is that of non-interference in the internal affairs of States. No one would deny the existence of internal problems within Chad. But it is essential that the people and the Government of Chad should be left to deal with these problems as they themselves decide, with such outside assistance as they themselves may request. Assistance from the OAU led to the Lagos Accord [*S/14378, annex I*]. If the present external intervention against that Government was terminated, the people of Chad could once again embark on the course of national reconciliation and the urgent task of reconstruction. Here again is a principle on which the OAU has expressed, rightly, strong views. Is there not a risk that, if they are flouted in one case, they may be flouted in others?

15. The inherent right of Chad to self-defence against armed attack has implicitly been called in question by

certain speakers. Facing external intervention and possessing only a tiny force of its own, the Government of Chad has exercised its right to seek the help of friendly States in defending the security of its country. To equate such a request—and the response to it of members of the Council—with external intervention is a grotesque distortion of the facts, as the representative of the Niger graphically demonstrated in his statement to us on 12 August [*2465th meeting*]. As I said in my earlier intervention in this debate [*ibid.*], if we cannot use words honestly, if we cannot face the facts squarely, we cannot fulfil our duties as members of the Council.

16. Those of us who sit in the Council have been made aware of an attempt by one of the parties to turn a border dispute into something close to an ideological dispute. There has been an attempt to drum up support from a articular group of ideologically oriented countries irrespective of their connection with the matter. Is it wise of this party to drag this internal African matter into the context of East-West rivalry?

17. In conclusion, I must record my Government's regret that the Council has not so far insisted on the withdrawal of the armed forces intervening against Chad, and an end to attempts to destabilize that country by military means; and has not condemned the use of force and the military occupation of the territory of a neighbouring country. We naturally welcome the steps which are being taken to find a settlement by the Chairman of the OAU, and we wish him every success. But we believe that members of the Council should continue to keep the conflict under active review. We should keep in close contact with the parties. We should, each of us, try to form an objective assessment of developments on the ground. Moreover, all of us should continuously bear in mind the fundamental principles which are involved in this dispute. Irrespective of the attitude of individual Governments towards the details of this dispute, these principles need to be nourished and supported. To do so is surely in the interests of Africa as a whole, of the world in general and, certainly, of the standing of the Council. All of us members of the Council, collectively and individually, have an interest in this. Indeed, we have a responsibility to the world community.

18. Accordingly, we must act effectively to support these principles. My Government would have been glad to support a draft resolution which did so. We must also apply the principles to the case before us. Again my Government would have been glad to do this. As things stand, all of us must continue to search for ways in which the Council might directly promote a peaceful solution. To this end, we should be prepared to resume this debate at any time.

19. We must not allow the conflict between Libya and Chad to be added to the list of disputes which the Security Council observes in handwringing impotence and about which it does little or nothing.

20. Mr. van der STOEL (Netherlands): Almost a month has elapsed since the President of Chad informed the Council of the serious deterioration of the situation in his country [*S/15907*]. At the Council's meeting of 16 August [*2467th meeting*] I had occasion to state my Government's position on events in Chad. The armed intervention against the Government of Chad has since continued and is likely to aggravate further the conflict in that country.

21. In view of this situation it is in our opinion high time that the present debate resulted in appropriate action by the Council. We should be neglecting our special responsibility under the Charter of the United Nations to maintain international peace and security if we failed to take action in this case. It is therefore a matter of concern to my Government that the Council has so far been unable to undertake any such action.

22. It has become clear from our debate that the international community holds divergent views on the situation in Chad. Nevertheless we should be able to reach a common understanding and to act accordingly on the basis of certain elements to which all parties concerned should be able to subscribe.

23. First, during the debate all speakers have expressed their deep concern at the serious aggravation of the military situation in Chad, and nobody has disputed that the conflict between Chad and Libya should be solved through negotiations and not by force.

24. Secondly, we have noted that quite a few delegations support the idea that the OAU should reintensify its efforts with a view to securing a peaceful settlement. The Netherlands, for its part, on 16 August stated that negotiations could be renewed within the context of the OAU in conformity with the resolution[1] adopted by the Heads of State and Government of the OAU at the nineteenth session of the Assembly, held at Addis Ababa in June, inviting Chad and Libya to seek a negotiated solution to their differences within the context of the *Ad Hoc* Mediation Committee established by the OAU [*ibid., para. 15*].

25. Thirdly, it would seem that a great majority of members of the Council should be able to agree that the least the Council could do is to request the Secretary-General to take appropriate measures in order actively to follow the situation in Chad and keep the Council informed about the developments in that country.

26. Although we could also imagine more decisive action by the Council, which in our opinion would be fully justified in view of the clear violations of the Charter of the United Nations that have taken place in Chad, my Government would be prepared to support a draft resolution of the Security Council containing the abovementioned elements, to which all parties to the conflict should be able to subscribe. In our view this is the minimum the Council could and should do under the present circumstances. We are therefore sorry to note that the Council has so far been unable to act in accordance with its duties and responsibilities under the Charter. Are we really to conclude that, faced with an instance of armed intervention in a State Member of the United Nations, the Council cannot even express its concern at the grave situa-

tion in that country, cannot even encourage a relevant regional organization to undertake mediation efforts or even instruct the Secretary-General to monitor the situation closely?

27. We still hope that those who have so far shown themselves to be reluctant to support such a minimal, non-partisan and moderate stance of the Security Council will change their minds. The conflict on the ground in Chad continues, and the Council cannot and should not remain silent. The Council must therefore remain seized of this question, and the Netherlands, for its part, will continue its efforts to contribute to a peaceful solution of the grave situation in Chad.

28. Mr. SINCLAIR (Guyana): This is the second time in the course of this year that the Council has, at Chad's initiative, been seized of the question of armed intervention and outside interference in that country's internal affairs. The United Nations, in the Charter of the Organization and in the relevant resolutions and decisions of the Council and the General Assembly, has resolutely set its face against intervention and interference in the internal affairs of States, and with sound reason.

29. Intervention foments internal conflict. Intervention sustains and seeks to influence the outcome of such conflict, and even of war. Not infrequently, intervention has the effect of frustrating the processes of nation-building.

30. On 6 April, after consideration of the complaint by the Government of Chad, the Council, through its President, issued a statement [*S/15688*] which called upon the parties to settle their differences without delay and by peaceful means on the basis of the relevant principles of the Charter of the United Nations and the Charter of the Organization of African Unity and to make the fullest use of the mechanisms within the regional organization.

31. Though at that time both parties expressed their willingness to discuss their differences and to resolve them peacefully, the fact that the Council is once again called upon to consider this question is clear evidence that the call made by the Council on that occasion and the proposals contained in the statement to which I have referred have not been implemented. My delegation sincerely regrets this non-implementation, which unfortunately has resulted in the continuation and deterioration of the situation in Chad.

32. This worsening situation is creating serious tensions and instability among North African States and in the Mediterranean region also. My delegation has also noted with concern and regret the manner in which these developments are being manipulated by powerful outside forces whose interests are unrelated to those of Chad or to Africa as a whole. This external involvement can only exacerbate the problem already existing, hinder efforts to have the Mediterranean respected as a zone of peace, security and co-operation, and pose an even greater threat to international peace and security in general.

33. The situation now is evidently a more complex one. In the course of the debate a number of major elements have been raised before the Council, among them the question of recognition and the legitimacy of Governments and intervention by foreign forces.

34. In this confused situation it is absolutely essential that the correct perspective always be maintained. The Council must resist efforts to lead it along paths which would move it further away from the solution we desire. We, the members of the Council, need to be careful always to maintain in the forefront of our consideration the interests and aspirations of the people of Chad.

35. It is the understanding of the Guyana delegation that those interests and aspirations are that the people of Chad be allowed to live free from intervention or any type of interference in their internal affairs; that they be allowed to chart their own course of national, political, economic and social development in pursuit of their right to self-determination; that they be permitted to live in peace and in good relations with all their neighbours and be given the opportunity to protect their territorial integrity and have their national territory free of all foreign troops.

36. This brings into focus certain cardinal principles to which Guyana attaches the utmost importance. We feel that in its consideration of this matter the Council must be guided by these principles if it is to achieve a lasting peace and a just settlement of the question. We speak of the principle that States are obliged to show the fullest respect for the national independence, sovereignty and territorial integrity of other States. We believe that States must likewise show the fullest respect for the principle of non-intervention and non-interference in the internal affairs of other States. Guyana also reiterates that States have a right to solicit help if they feel threatened with aggression or intervention or interference in their internal affairs.

37. My delegation believes that the Council, in keeping with its primary responsibility for the maintenance of international peace and security, must be clear and forthright in its response to the complaint by the Government of Chad. In the discharge of that responsibility, the Council has an obligation to take steps to facilitate the urgent achievement of the goals and aspirations of the Chad people.

38. My delegation believes that a helpful response by the Council could have been the establishment and prompt dispatch of a fact-finding mission to assess the situation on the ground and to make a determination as to the extent to which the relevant principles are being violated and to which the attainment of the goals and aspirations of the people of Chad is being obstructed, if at all, and by whom. That mission would thereafter make its report to the Council. We are of the view, however, that the positions of the Movement of Non-Aligned Countries and of the OAU on this question must be respected.

39. My delegation believes that if we were to defer to the position of the OAU on this matter, the Council would be acting fully in accordance with Article 52, paragraph 3, of the Charter of the United Nations. This Article states very clearly, however, in paragraph 4 that it in no way impairs the application of Articles 34 and 35. My delegation would like to place particular emphasis on the right of a State, as expressed in Article 35, to bring a dispute to the attention of the Security Council. This we do because, as members of the Council are aware, there are some regional organizations which exclude from membership States Members of the United Nations.

40. I wish to conclude by expressing the sincerest wishes of the delegation of Guyana and of the Government of Guyana for the early success of the efforts of the OAU in this matter.

41. Mr. LICHENSTEIN (United States of America): And so, exactly 28 days since we heard the massively-documented complaint of the sole, legitimate Government of Chad against the flagrant aggression of Libya, fully four weeks since we listened to the appeal of Chad for urgent help in combating that aggression, the Council meets one more time—and for what reason? To affirm its fundamental irrelevance to the realities of international gangsterism and to admit its utter futility as an effective instrument of international peace and security.

42. Indeed, this is not a proud day for the United Nations Security Council. The losers in the proceedings of this past month are many. There is of course the Security Council itself, which has been cynically manipulated—and worse, which has permitted itself to be cynically manipulated. There is the Charter of the United Nations, which has been so contemptuously violated. There is that group within the Council which has been throughout an entire month of negotiation the victim of the most radical among its members. And again, what is worse is that this group has been a willing victim, and that the negotiations have been dishonest from the beginning. Every concession by the honourable and the reasonable has been frustrated by yet another non-negotiable demand by the extremists—encouraged from within the Council's permanent membership, we do not for one moment doubt, by Libya's benefactor and protector, the Soviet Union.

43. It is tempting, if only for the sake of symmetry, to balance losers with winners and thus to credit Libya with a victory for its naked, unprovoked aggression. But to draw any such conclusion from the charade of the last month in the Council—and let there be not a moment's doubt on this score either—would be a very, very great mistake. For there were some among this Council's own membership who did not wait for the Council or rely on the Council to respond to the urgent appeal of Chad. There were those who realized that aggression had to be deterred, who accepted their obligation—under the Charter, indeed—to help Chad defend itself, who were prepared to make that commitment. My Government was one of those. Zaire was another. France was a third. Our commitment to the freedom and independence of Chad is strong and tangible, and we would urge the aggressor and those who encourage aggression to pay particular heed: that commitment to the freedom and independence of Chad continues.

44. There are, we believe, other winners in this process, however fruitless its outcome to date may be. Chad surely is one. Its posture throughout has been courageous and dignified. Its spokesmen have treated the lies and the invective of Libya with the quiet contempt they deserve. Zaire also has been a winner, in its immediate, powerful response to Chad's appeal for help and—in concert with the representative of Togo—in its genuine search for consensus within the Council's non-aligned group. The fact that this effort was unavailing, that indeed it never had a chance of success in view of the prevailing cynicism and the deliberate manipulation of the Council's consultative process—well, none of this reflects discredit on either Zaire or Togo.

45. We believe there has been another clear and significant signal given in the course of the Council's consideration of Chad's complaint: the virtually unanimous voice of Chad's African neighbours in condemnation of Libyan aggression and in courageous support of the Government of Chad, the Government of President Hissein Habré. It has been an impressive display of adherence to the principles that are supposed to impel the United Nations to effective action, and of a clear-eyed realism that not to oppose aggression is quite simply to incite more, and more flagrant, aggression—graver threats to international peace and security, closer and closer to home.

46. If ever there was a documented case of unprovoked aggression, this was it. We cannot conceive of a situation in which the aggressor was more unmistakably identified. Equally, we find it impossible to imagine an appeal more meritorious than that addressed to us, on 3 August, by Chad [*2462nd meeting*].

47. By the very same token, our response should have been unequivocal and immediate. On 4 August we should have been prepared to vote on a draft resolution that condemned Libyan aggression and that demanded the cessation of fighting and the immediate withdrawal of Libyan forces from the territory of Chad—thus clearing the way for Chad to reconcile its own internal differences, and to control its own destiny as a free and independent nation, utilizing the good offices of the OAU or possibly of the United Nations itself in this effort of self-determination.

48. Would such a draft resolution have succeeded? Almost surely not. But such a draft resolution would keep faith with the mandate of the Charter and would serve one very important purpose additionally: it would identify for all the world to see those who reject the use of force as an instrument of international relations, and those who not only condone the use of force but even support and encourage it.

49. As I have said already, the absence of such a draft resolution makes this far from a proud day for the Council and the world Organization. But more than that, it is a

day of the gravest danger—and particularly for those small and relatively defenceless nations, like Chad, which are the actual or the intended or the potential victims of aggression.

50. In a very important sense, the United States does not need the United Nations—certainly not for its protection, certainly not for its defence. But for many nations around the world, particularly those which constitute the non-aligned group within the Council, an appeal to the United Nations may represent their ultimate and essential recourse. Universal adherence to the principles of the Charter may be their only guarantee against the adventurism of a Qaddafi or against global imperialism—imperfect, yes, but the best this imperfect world has yet been able to devise.

51. The inherent authority of this approximation of a world community is not, however, self-enforcing. It requires the courage of the Member States' avowed convictions and the determination to resist aggression and the willingness to stand up and be counted.

52. We must therefore pose this question: by their inability or unwillingness to act, by their readiness to be victimized and manipulated, by their contribution to the undermining of the effectiveness of the Council and of the United Nations generally, are the members of the Security Council helping to arm their own executioners? We are appalled by the answer that, so far, this proceeding appears to provide.

53. Mr. Shah NAWAZ (Pakistan): Since this is the last day of August and my first statement in a formal meeting of the Council under your presidency, Sir, I shall begin by expressing our deep appreciation of the outstanding manner in which you have guided the work of the Council. Your widely acknowledged wisdom and experience have greatly benefitted the Council, especially in its deliberations over the situation of breach of peace in strife-afflicted and war-torn Chad.

54. I should also like to take this opportunity to express our appreciation to your predecessor, Mr. Ling Qing, who guided the work of the Council last month with great skill, wisdom and statesmanship.

55. Earlier during the debate [*ibid.*] we received with deep concern the information provided by Mr. Korom Ahmed, the Secretary of State for Foreign Affairs and Co-operation of Chad, and by that country's representative, about the intolerable conditions inside Chad. We listened to their complaint of Libyan military intervention in the conflict. We also took note of the statement made by the Libyan representative disclaiming such an involvement on the part of his country.

56. We have also taken note of the statements made before the Council by several other delegations, both on the complaint brought by Chad and on a separate complaint by Libya [*S/15914*] which was concurrently debated. These twin debates have, regrettably, generated an atmosphere of confrontation and hostility which has been reflected in the acerbity of some of the statements made by the protagonists. If the Council is to make any useful contribution towards resolving the issues that have been raised, it would be necessary to concentrate on the realities of the situation beyond the polemics and the verbal sparring in the debate.

57. In its more than 20 years of independent life, Chad has seen little tranquillity or peace. Internecine conflicts have throughout ravaged that country and attracted foreign intervention more than once and from more than one direction. In this tragic situation, the people of Chad are the primary victims whose aspirations for peace, for deliverance from extreme poverty and for national reconstruction continue to be a dream awaiting fulfilment.

58. When Chad brought its complaint to the Council, the internal conflict in the country and the acts of foreign intervention in its affairs had escalated to an unprecedented level. The circumstances surrounding these events may invite varying interpretations, and charges and counter-charges made in the Council's debate may evoke different reactions, but the principles which are being flouted and which need to be upheld remain sacrosanct and inviolate.

59. The external interference in Chad's affairs, in utter disregard for respect for its political independence and territorial integrity, is the central issue constituting the international dimension of the Chad crisis. It is for the people of Chad to choose their leaders and their system of government. They must be left to themselves to settle their political differences and order their affairs in peace, without outside interference or pressure. Neighbours cannot arrogate to themselves the right to pick a winner of their own choice, back him with all available resources and confer legitimacy on him. Our firm opposition to such a propensity in any part of the world requires no reiteration.

60. At the same time, we are concerned over outside Powers aligning themselves in this internal conflict. Their involvement will worsen the situation, compound difficulties and prolong the tragedy of the people of Chad. This issue, if drawn into the vortex of East-West confrontation, would become insoluble.

61. Since I have touched upon the Libyan complaint which relates to the situation in the North African region, I feel obliged to offer a few observations to set out our views. It is quite clear that the factors that lie at the heart of the current crises in the region, of which Libya is a part, are varied and complex.

62. We are conscious of the implications of the Libyan complaint and the spectre of destabilization which it evokes. It is our earnest hope that such fears will prove to be unfounded and that all the countries of the region, including Libya, can continue to live in peace and security and have the uninterrupted opportunity of devoting their energies to the paramount task of national reconstruction.

63. At the same time, we cannot but deplore the existence or creation of circumstances in which a small country feels threatened or experiences violations of its sovereignty and, unable to defend itself with its own resources, feels compelled to resort to measures which could further limit its sovereignty and independence, even though its right to do so is unquestionable.

64. The transcendent interests of the great Powers which often lead to the projection of their power in countries and regions far beyond their frontiers is a fact of international life which cannot be wished away by a mere reiteration of principles of non-intervention and non-interference. The smaller nations can construct a barrier against intervention, first of all, by setting their own affairs in order and by conducting their relations with each other in conformity with the principles which they profess. It is the strife within and conflicts among the smaller nations themselves and the failure on the part of larger countries to respect the sovereignty and independence of small neighbours which all too frequently attract foreign intervention.

65. Such is our perception of the situation in Chad and North Africa and the interplay of regional and extraregional factors in it. Regrettably, the Council, despite its strenuous efforts, has not come up with a decision which could fully respond to the conditions of intervention and conflict in Chad on the basis of principles and at the same time enjoy the support of all members of the Council.

66. In our view a proper response from the Council should have the following elements: first, affirmation of respect for the political independence, sovereignty, territorial integrity and unity of Chad and observance of the principles of non-use of force, non-interference and non-intervention in the internal affairs of States; secondly, the termination of all foreign intervention, the withdrawal of foreign forces and a call on the parties involved in the conflict to disengage so as to allow the process of peace to gather momentum; and thirdly, encouragement and support for efforts by the OAU to achieve a peaceful solution of the problem afflicting Chad.

67. When Chad brought its complaint to the Council about a month ago, the facts of the situation on the ground were much disputed and each protagonist had drawn a picture of the situation that reflected its own strongly-held view and conflicted with that of the others. The Council could not simply select one set of facts as the basis for its approach to the problem, nor could it find a way of escape by partially or wholly relying on media reports on the situation. That in our view was the time for the Council to dispatch a fact-finding mission to Chad under the auspices of the Secretary-General with a mandate to submit a report to the Council within a specified period. That was also the time when we would have wished to see the Council take a decision combining the three elements I have just mentioned as its integral measures. Such a step would have enabled the Council to play an effective role in the resolution of the problem.

68. Regrettably that moment has passed. The unconscionably long and arid debate in and outside the Council occupied a portion of time during which the convulsions that shook Chad settled with recognizable contours. In the new situation, the Council should for the time being confine its role to encouraging the OAU, which has already taken certain important initiatives, to carry these forward to their logical conclusion.

69. As we look at the background of the crisis in Chad, we feel increasingly convinced that the African States themselves have provided practical, just and credible answers to the Chad problem in the past. It is unfortunate that the agreement worked out by them four years ago at Lagos [*S/14378, annex I*], which was blessed by the OAU, was not given a chance to be fully implemented. At this stage, what is important is not to apportion blame but to revert without delay to the course which has been lost.

70. Earlier this year also, when Chad brought a complaint to the Council in regard to the Aouzou Strip [*S/15643*], the President of the Council, in a statement issued on behalf of its members on 6 April [*S/15688*], appealed to the two countries to make full use of the mechanism available within the OAU. It may be recalled that in June last the OAU decided to activate its *Ad Hoc* Committee on the Libya-Chad dispute under the chairmanship of Gabon.

71. We repose our hopes, once again, in the efforts of the OAU and in its ability to bring relief to the grave situation in Chad, and we feel heartened by the prompt initiative of the Chairman of the OAU which is already under way. At the same time, we fully realize that since April the situation in Chad has become aggravated far beyond the description of a mere bilateral dispute between Libya and Chad or a civil strife between the two contenders of power. It has assumed an international dimension of great complexity with serious implications for the peace and security of the entire region. In the circumstances the Council must remain seized of the situation, which continues to pose a threat to regional and international peace and security.

72. Should the efforts of the OAU fail to bear fruit, the Council should resume its consideration of the situation and take appropriate measures in the discharge of its Charter responsibilities.

73. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): Today, here in the Council before it began its meeting, I asked a representative what we could really expect at this meeting and he answered me that, as was perfectly understandable and natural, judging from some of the speakers inscribed to speak, we would hear expressions of disappointment, disillusionment and even despair.

74. Indeed, one precisely limited group of States came forth with an entire series of statements expressing feelings of disappointment and despair, and there is a simple reason for this. They have not been able to draw the Council into activities inappropriate for it.

75. Their activities resulted, as was inevitable, in failure. Their efforts failed because they have tried in the Council to defend and advance an unjust and mistaken cause. They have been trying, from outside and with the assistance of the Council, to dictate their conditions to an entire continent, without giving the Africans themselves the right to settle their own affairs.

76. The policy pursued in the Council by that group of States constitutes an act of open defiance of the OAU.

77. I shall be specific. First, although the OAU has repeatedly expressed its advocacy of an immediate cessation of the armed hostilities and bloodshed in Chad, that group of States has not heeded the appeal of the OAU, because it was not to its liking. Secondly, the OAU has vigorously expressed its position that outside intervention—both African and non-African—in Chad's affairs should cease. Yet in none of the statements made by the aforementioned group of States has anything been said about non-interference. That group of States evidently feels it is right to intervene from outside in Africa's internal affairs. Thirdly, the OAU has advocated national reconciliation of the various factions and groups in Chad. But that group of States is evidently in favour of war—a war of extermination in Chad, war until Chad's last citizen is exterminated. Fourthly, the OAU has officially requested, through the President of the Council, that the Council not take any action, so as to make it possible for the OAU to continue its efforts. Yet that group of States is rejecting that request by the OAU as well.

78. Thus, two separate policies have clearly emerged from the Council's consideration of this item: one is "Africa for the Africans"—letting the OAU settle this difficult problem itself. That policy is supported by the Soviet Union, and the Soviet Union will continue to support it. The other policy is "Africa as a sphere of influence"—a policy upheld by those who would like to continue to resolve Africa's affairs by themselves, those who would like to return Africa to the sad times of the Berlin Congress. But such a policy is the echo of a remote past: it has also been rejected by most of the members of the Council. Therefore this policy which has been pursued by one narrow group of States in the Council was obviously doomed to failure and, accordingly, has failed.

79. Finally, I wish to refer to the pathetic words uttered here today by one representative, to the effect that the Security Council has been unable to do anything in this matter for 28 days now. But it is precisely his delegation which, not for just some days but for many years, has been blocking action by the Council against the Israeli aggressors. It is precisely that delegation which, not just for several days but for many years, has been blocking action in the Council against the South African racists. Therefore, the aforementioned lamentations are nothing more than crocodile tears.

80. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Congo. I invite him to take a place at the Council table and to make his statement.

81. Mr. GAYAMA (Congo) (*interpretation from French*): Mr. President, the States Members of the United Nations and in particular the members of the Council are already familiar with your vast diplomatic experience. That is why most of the preceding speakers have very rightly extended their congratulations to you for the effective way in which you have so far been conducting the Council's work. My delegation cannot fail to join in the sentiments expressed by those speakers.

82. No one is better qualified than you, Sir, the representative of France, to direct the debate on this question of Chad, given the role that your country is now playing and that it has always played in matters regarding Chad, both prior to and since that country's independence. My delegation would mention in particular the role your country has played in affording Chad and its people the opportunity to achieve reconciliation and to establish a just and lasting peace in that country.

83. With the new outbreak of war in Chad over the past two months, the fraternal people of that country, which has suffered so severely in recent years, has been living through an atrocious tragedy not of its own making, in the words used by my country's President, Colonel Denis Sassou-Nguesso, in his address to his African colleagues and other guests at the celebration of the twentieth anniversary of the Congolese revolution to describe the disturbing situation prevailing in that friendly country.

84. On that occasion, moved by the sincere desire and fraternal concern to contribute, in no matter how small a way, to alleviating the heavy burden on the fraternal people of Chad, the heads of State of central Africa and the current Chairman of the OAU conducted, in a responsible and constructive way, a "broad exchange of views on the situation that has prevailed in Chad over the past few years".

85. With the permission of members of the Council, I should like to highlight the declaration that resulted from that exchange of views, as it is contained in the annex to document S/15936 which we have addressed to the Secretary-General. The Declaration of Brazzaville on the situation in Chad, as the document is entitled, was prompted mainly by the deep concern aroused by the extreme gravity of the problem and of the obvious risks of its becoming internationalized. It will therefore come as no surprise that the heads of State clearly indicated that the solution to this conflict is not military, but political.

86. Some action was therefore deemed necessary, and, as was most fitting, the current Chairman of the OAU was requested to establish contact with all the parties concerned with a view to achieving, first, a cease-fire; secondly, the withdrawal of all foreign troops; and, thirdly, a commitment on the part of all countries to refrain from interfering in the internal affairs of Chad.

87. For the accuracy of the verbatim record, we should also mention two points: first, that one of the countries that participated in the meeting, Zaire, was unable to take a position on the results set forth in the Declaration;

secondly, that several other delegations represented in Brazzaville at other than the head-of-State level followed those discussions closely and expressed their interest.

88. In order properly to assess the intrinsic value of the Declaration of Brazzaville, my delegation would like to draw the attention of members of the Council to the fact that it is, above all, the result of the first attempt at diplomatic action voluntarily undertaken by a group of political leaders at the highest level aimed at demonstrating the presence and watchfulness of Africa with regard to a problem that our continent, today more than ever before, has the right and the duty to solve.

89. The surest way of doing so is by peaceful means, one of the essential bases for the maintenance of international peace and security. In the view of the Congo, the problem cannot be solved by a resort to violence. That can only turn the land of Chad into a charnel-house, which would be of benefit only to foreign countries at the expense of the people of Chad.

90. We need only note the great solicitude being lavished today on Chad by the weapons merchants. It is somewhat suspect, however, considering that none of those countries showed the slightest generosity when it was a matter of Chad's economic and social development. This helps us to understand the true motives behind the take-over being attempted in Chad and, beyond that country, in all of Africa.

91. My delegation would, in all modesty, invite members of the Council to take this as food for thought and to look upon the Declaration of Brazzaville as the modest proposal of a group of countries bound together by their friendship for Chad, one put forward as an alternative to war, which would wreak incalculable devastation on the life of a people and a nation.

92. Convinced of the need for peaceful coexistence, harmony and understanding among States or groups of States, whatever their philosophy or their political, economic or social system, the People's Republic of the Congo advocate mutual respect, non-intervention and anti-imperialism. In addition, our familiarity with the people of Chad and their problems is not merely theoretical; it is a tangible reality of which we have had daily experience thanks to our many historic and human ties. Hence the People's Republic of the Congo has always felt honoured to be the bearer of peace and harmony with regard to Chad, as well as to other neighbouring countries of central Africa.

93. This constant practice of the policy of good-neighbourliness, the constant concern of President Sassou-Nguesso and of the Government of the Congo, cannot be related to any passing interest or temporary factor. For that reason, my country has always attempted to preserve its ability to act as a conciliator rather than to lend its support to interventionist manoeuvres which, in the end, alienate the independence of Africa and play into the hands of the worst enemies of its freedom.

94. My country therefore hopes, above all, for a final settlement of the problem of Chad through the reconciliation of all Chadians, free from foreign interference.

95. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Libyan Arab Jamahiriya. I invite him to make his statement.

96. Mr. BURWIN (Libyan Arab Jamahiriya) (*interpretation from Arabic*): I should like to begin my statement by drawing the Council's attention to certain facts and clarifying matters.

97. Some members of the Council are still insisting on distorting the actual situation prevailing in Chad. Those members have tried to use the Council as a means of propaganda against Libya. And here I refer to statements made by the representatives of the United Kingdom, the Netherlands and the United States.

98. In order that facts not be misrepresented, my country's delegation stresses once again that there is in Chad a civil war, the consequence of a long history of colonialism inflicted on the African continent, the vestiges of which influence many African countries.

99. This civil war in Chad has ideological, religious, tribal and ethnic roots and is being encouraged by the imperialist countries. What made this situation worse is the mutiny of one of the eleven Chad contingents, meaning the Army of the North under Hissein Habré, which is being supported and protected by French, Zairian and American forces, as well as mercenaries.

100. We are convinced that the attempts to convert the internal strife in Chad into a conflict between Libya and Chad are not but desperate attempts to use this Council as a forum for propaganda against the Jamahiriya. Such attempts are led by the United States, whose Administration is the enemy of the Libyan people in particular, and of the African and Arab peoples in general.

101. The United States and France have tried to gain legitimacy for their stooge, Hissein Habré, in Chad in order to protect their interests. That is unacceptable to my country, and, I believe, to the majority of members of the Council.

102. The Socialist People's Libyan Arab Jamahiriya stresses its firm position that stems from the fact that the presence of imperialist forces in an African country represents a direct threat to Libya and its neighbours. It would be preferable for the Council to call upon those forces to withdraw and allow the people of Chad to solve their problems by themselves or through initiatives of the OAU.

103. The representative of the United States uttered many misrepresentations with regard to Libya. I merely wish to say that at this time his Administration is exerting a show of force in various parts of the world and threatening peoples of Latin America, South-East Asia, the Middle East and Africa.

104. In drawing the Council's attention to his point of view, he forgot to mention that the United States itself has exercised its right of veto more than 30 times against the interests of peoples. Recently it was the only country that supported the illegitimacy, expansion and use of force in the acquisition of territory, as well as the massacring of the Palestinian people, when it exercised its right of veto against a draft resolution on that matter.

105. It is not surprising that the leaders of outmoded imperialism should hasten to launch an attack against a country wishing to be free from all kinds of pressure. It is not surprising that they should hasten to install their own stooges—something that was mentioned by the representative of the United States. Currently they are trying to protect their stooge, Habré, against the will of the people of Chad.

106. The United States and other imperialist countries care nothing about the interests of Chad or those of the other peoples of Africa, let alone those of the Palestinian and Arab peoples. The President of the United States said that Chad comes within the sphere of influence of France. That means that the world is divided into spheres of influence.

107. The representative of the American Administration was telling the truth when he mentioned that his country did not need the United Nations. Indeed the American Administration, along with Zionist organizations, is trying to put an end to the Organization, thus getting rid of any control over flexing its muscles and using all its capabilities to put the world in the grip of American monopolies.

108. Some representatives referred to principles and said that they should be upheld. But we believe that a multifaceted policy exists. We have never heard the protagonists of colonialism make any such references when the Council discussed intervention, threats and hostile acts on the part of the American Administration against the Libyan Arab Jamahiriya or Nicaragua. We would have hoped that those concerned with peace and with principles would have been able to refer to the flexing of muscles and the threat and use of force against an Arab people trying to live in peace and to practise a policy of non-alignment and frankly express their opinions against the American Administration's unjust and unethical policy against the African peoples, the Palestinian people, the Arab peoples and the peoples of Central America.

109. The Libyan Arab Jamahiriya seeks peace and prosperity for the people of Chad, for the situation in Chad must have consequences for neighbouring countries. Any aggravation of the situation in Chad, or in any part of the neighbouring countries, particularly Libya, would directly or indirectly affect their security, because what is taking place must affect them. We therefore hope that the people of Chad will be able to realize national conciliation and to set up a Government, or to encourage or preserve the Transitional Government of National Unity established through the Lagos Accord [*S/14378, annex I*], and not through the use of force, and blessed by the OAU. It enjoys the support of the majority of the people of Chad. We hope that our brothers in Chad will be able to preserve their country and to remove the French and Zairian troops from their country. The Jamahiriya is ready to co-operate with its sister African nations and with their disputing Chadian brothers if they so wish. It is ready to contribute to any initiatives, just as it has in the past, in order to put an end to the civil war and to bring about national reconciliation.

110. The Jamahiriya supports the initiatives undertaken by the OAU and believes that the proper solution is to leave the whole matter to that Organization, whose Chairman has undertaken consultations on the matter. Several statements have been released, all calling for an end to the tragedy in Chad and national reconciliation.

111. The Jamahiriya rejects the use of the situation in Chad by the United States and other imperialist countries as a pretext for interference in the internal affairs of the Jamahiriya or other neighbouring countries in preparation for campaigns against the Libyan people.

112. In conclusion, I believe that the proper solution will be to implement the Lagos Accord and to uphold the national Government, supporting it and leaving the Chadian people to make its own decisions.

113. The PRESIDENT (*interpretation from French*): As President of the Council I would draw attention to the statement just made by the representative of the Libyan Arab Jamahiriya. He has once again trampled on the authority of the Council. We are meeting here to hear a complaint by the legitimate Government of Chad, a Government whose legitimacy has been recognized by the Council in the statement of 6 April last, which I need not recall [*S/15688*]. It has also been recognized by the majority of members of the OAU and by the OAU itself.

114. The next speaker is Mr. Korom Ahmed, the Secretary of State for Foreign Affairs and Co-operation of Chad, upon whom I call.

115. Mr. KOROM AHMED (Chad) (*interpretation from French*): I shall not stoop to the level of Qaddafi's representative to respond to his madness. I prefer to maintain the proper level of this discussion and to address the question that is of such importance to Chad.

116. It is with great bitterness and profound disappointment that I once again, on behalf of my delegation, address this august assemblage.

117. First of all, I wish to extend our most heartfelt thanks and gratitude to all the members of the Council and all the representatives of the friendly countries, Members of the Organization, that have spoken in the debate on the question before the Council in total support of the just cause of Chad.

118. The text that has been proposed for adoption, a purely procedural text, in our view constitutes the very least that we could have expected of the Council. It will be

recalled that throughout the discussion of the question before the Council our delegation has presented most striking evidence of Libya's outright aggression against Chad and its martyred people. It will also be recalled that throughout the course of this debate, which is a very painful one for our delegation, we have brought before the Council the facts of the situation, irrefutable proof of this brutal aggression, and have denounced the actions of the new imperialism now surfacing in Africa. We have given evidence of the annexationism and interventionism of Colonel Qaddafi's Libya, which threaten the peace, stability and security not only of a small, peaceful country such as Chad but of most of the countries of the region as well.

119. In order to attain its objectives and carry out its sordid and diabolical plans, Colonel Qaddafi's Libya, with the blessing, assistance and encouragement of a permanent member of the Council, the Soviet Union, established a military arsenal of unusual size in order to occupy by force today the northern half of our country, as in the past it occupied Aouzou, in defiance of the principles of international law and of all the principles of the Charter of the Organization of African Unity and the Charter of the United Nations. Libya is once again using the most sophisticated weapons against a country that has more need of bread than of gunpowder. I repeat that those weapons are principally Soviet. Colonel Qaddafi is deploying against innocent, unarmed, civilian populations his horde, the Islamic Legion. Sufficient evidence of this barbaric policy has been brought to the Council.

120. It is in this context that the Chad delegation, wishing to preserve both the spirit and the principles of the Movement of Non-Aligned Countries, to which Chad and Libya belong, submitted a draft resolution on the problem concerning it to the group of eight countries of the Movement. In order to make it possible for that group to arrive at a consensus text demonstrating the solidarity and unity of the Movement of Non-Aligned Countries, the delegation of Chad made enormous concessions. In spite of the willingness of our delegation, and in the face of the lack of political will on the part of Libya, ever-present in the non-aligned group, the group was, unfortunately, again to our great disappointment, unable to arrive at a compromise text in accordance with the relevant principles of our movement.

121. Frankly, we were not expecting these disappointing results, in so far as small countries, of which Chad is one, have always had great faith in the principles of the Movement of Non-Aligned Countries and the principles contained in the Charter of the Organization of African Unity and the Charter of the United Nations.

122. We believe that a country that suffers aggression, as is the case of Chad, is entitled to come before the Council, whose essential task is the maintenance of peace and security in the world. All the members of the Council, and in particular the non-aligned, have a very important role to play in this field, since this is a conflict between two members of the Movement of Non-Aligned Countries.

123. There can be no doubt that this is a serious evasion of responsibility by the non-aligned members of the Council. It is a dangerous and grave precedent for the future not only of the Movement of Non-Aligned Countries, whose principles and ideals the group is by definition entrusted with defending within the United Nations, but also of the Council, whose principal mission, we recall, is the maintenance of international peace and security.

124. Certain States members of the Council, and in particular those that belong to the Movement of Non-Aligned Countries, would like this serious issue to be referred purely and simply, without any further action, to the OAU. We agree with such action in principle, but that group was acting as spokesman of the Libyan aggressor. We recall that the dispute between Chad and Libya was submitted by Chad to the OAU at the fourteenth session of the Assembly of Heads of State and Government, held at Libreville in 1977. But, as always, Libya, which seems to lay down the law within the OAU, has since then virtually blocked the functioning of the *Ad Hoc* Committee on the Chad-Libya dispute, established at that meeting.[2] That is why, in the face of the occupation of part of our territory and the worsening of Libyan aggression, Chad asked the Council to compel Colonel Qaddafi's Libya to listen to reason by the adoption of a suitable text.

125. The draft resolution submitted by our delegation to the non-aligned group and the purely procedural text presented by the President of the Council clearly stressed the important role which should be played by the OAU in the search for a peaceful solution to this painful problem. It is therefore difficult to understand how a certain number of members of the Council insist on the need to refer the question purely and simply to the OAU, thus meeting the demand of Libya, an aggressor country which the Council should logically condemn unhesitatingly.

126. Should we therefore take it that force can prevail over law, that might always makes right? How otherwise are we to explain the fact that Chad, a small, poor country with no other means of exerting pressure than the strength of its just cause, has not prevailed over a rich and arrogant Libya, whose brutal aggression has been so clearly demonstrated? Or are we faced with a manifestation of the demands of a small group of developing countries which would consider the non-aligned countries to be the supposed natural allies of the Soviet Union, and which from the outset placed this war of aggression waged by Libya against my country in the context of the East-West conflict? If this is so, may I remind the Council that we have a new era before us, one fraught with hitherto unknown dangers. May I also remind the non-aligned countries that the Foreign Ministers and heads of Delegation of non-aligned countries participating in the thirty-seventh session of the General Assembly, at their meeting held in New York from 4 to 9 October 1982, issued an appeal to all the members of the Movement of Non-Aligned Countries not to interfere in Chad's internal affairs [*S/15454, annex, para. 33*].

127. At this very moment, as I address this body, Qaddafi's Libya continues to strengthen its military appa-

ratus, with dozens of Soviet combat planes and Soviet equipment based on Chad territory and with more than 6,000 Libyans in the north of the country. The situation is extremely serious. Hence, in spite of the fact that the Council is momentarily paralysed, we continue to believe in its responsibility for taking the appropriate measures to restore peace to Chad and thus to the region. Therefore, for our delegation the debate remains open and Chad reserves its right to return to the Council at any time.

128. In conclusion, Mr. President, I should like to express to you and to the chairman of the non-aligned group, the representative of Togo, our most sincere thanks for the very commendable, intensive efforts that you have both made to arrive at a compromise text taking account of the serious situation prevailing in Chad. Unfortunately, all those efforts have not been crowned with success. None the less, we believe that they have contributed to clarifying the positions of all in the face of this painful problem facing my country. We believe that this precedent will serve as a lesson for all small countries that suffer the risk of aggression in the future by powerful, arrogant countries such as Libya.

129. In conclusion, I should like to make a brief comment in response to the statement just made by the representative of the Congo. The Declaration adopted at Brazzaville spoke of non-interference by the neighbours of Chad. I am surprised that the representative of the Congo did not mention that paragraph in his statement and I hope a correction will therefore be made to the statement he has just made, so that the Council may take note of it.

130. The PRESIDENT (*interpretation from French*): I should like to speak as the representative of FRANCE.

131. I shall not return to the substance of the debate, that is, the situation that led the Government of Chad to bring a complaint against the Libyan invasion before the Council. The Chad situation is now known to all, and the position of France, which I set forth in my statement on 12 August [*2465th meeting*], was lucidly developed *in extenso* by the President of the French Republic on 26 August.

132. I should merely like to recall, at this stage of our debate and taking into account the consultations I have had in recent days, the position of my country with regard to the respective roles of the OAU and the United Nations.

133. France attaches great importance to the role of regional organizations. In particular, it gives constant support to the OAU, which it sees as an irreplaceable framework for the settlement of African conflicts. This is particularly true of the conflict in Chad, with respect to which the French Government resolutely supports the efforts of the OAU. Moreover, an OAU mission is in Paris today where it is being received by the highest authorities. Thus, bearing in mind the initiative being prepared by the regional Organization, we agree in this case that the Council, without in any way evading its responsibilities in this matter, should not take a position today.

The meeting rose at 1.45 p.m.

NOTES

[1] A/38/312, annex, resolution AHG/Res.106 (XIX).

[2] A/32/310, annex II, decision AHG/Dec.108 (XIV).

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THIRTY-EIGHTH YEAR

2470th MEETING: 2 SEPTEMBER 1983

NEW YORK

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2470th MEETING

Held in New York on Friday, 2 September 1983, at 3.30 p.m.

President: Mr. Noel G. SINCLAIR (Guyana).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2470)

1. Adoption of the agenda

2. Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/15947);
   Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council (S/15948);
   Letter dated 1 September 1983 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council (S/15949);
   Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/15950)

The meeting was called to order at 4.15 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT: I should like at the outset of this meeting to express on behalf of the Council deep appreciation to the President of the Council for the month of August, Mr. Luc de La Barre de Nanteuil, Representative of France, for the great diplomatic skill with which he conducted the Council's business in the course of last month.

Adoption of the agenda

2. The PRESIDENT: The provisional agenda for this meeting is before the Council [*S/Agenda/2470*]. In this connection, I should like to draw the attention of the members of the Council to document S/15951, which contains the text of a letter dated 2 September from the representative of Australia to the President of the Council, in which the Government of Australia associates itself with the requests contained in documents S/15947 and S/15948, respectively. I would propose that this letter be included in the agenda for the present meeting and that the agenda be revised accordingly.

It was so decided.

The agenda was adopted.

Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/15947);
Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council (S/15948);
Letter dated 1 September 1983 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council (S/15949);
Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/15950);
Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council (S/15951)

3. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Australia, Canada, the Federal Republic of Germany, Japan and New Zealand, in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the provisions of Article 31 of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Pelletier (Canada) took a place at the Council table; Mr. Joseph (Australia), Mr. Jelonek (Federal Republic of Germany), Mr. Kuroda (Japan), and Mr. Harland (New Zealand) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT: I should like to draw the attention of members of the Council to the final paragraph of the letter dated 1 September from the observer for the Republic of Korea to the President of the Council [*S/15948*], in which he requests that the representative of the Govern-

ment of the Republic of Korea be invited by the Council to participate in the discussion in accordance with Article 32 of the Charter. I propose, with the consent of the Council, to invite the observer for the Government of the Republic of Korea to participate in the discussion, without the right to vote, in accordance with the provisions of Article 32 of the Charter.

At the invitation of the President, Mr. Kim (Republic of Korea) took a place at the Council table.

5. The PRESIDENT: The first speaker is the observer for the Republic of Korea on whom I now call.

6. Mr. KIM (Republic of Korea): Mr. President, I wish to thank you and the members of the Council for having kindly invited my delegation to participate in the discussions of the Council. Allow me also to extend to you, Sir, our congratulations on your assumption of the presidency for the month of September. We are certain that your outstanding leadership will ensure impartial and efficient conduct of the deliberations of the Council. We wish you every success in the fulfilment of your heavy responsibilities.

7. Five times a week, at 2350 hours, a Korean Air Lines Boeing 747 taxies down the runway at John F. Kennedy International Airport in New York, takes off, and begins its regularly-scheduled flight to its home airport of Kimpo in the Repubic of Korea. Like so many flights of other airlines, it follows internationally demarcated routes and long-established international procedures. It carries its crew, passengers, and their authorized baggage and freight only.

8. But on 31 August, as the entire world now knows, Korean Air Lines flight 007 did not reach home safely. Today, we presume that all its passengers and crew are dead, the victims of an incomprehensible act of deliberate and premeditated violence.

9. Before I proceed further, I should like to say, first of all, that our Government shares the immense sense of loss of the families of each passenger and crew member who were on that fateful flight. Our sympathy goes out to each family. We share their grief.

10. According to the information available to us, the Korean Air Lines plane which was shot down by the Soviet Union departed Anchorage, Alaska at 1400 hours, Greenwich mean time, Wednesday, 31 August, with 240 passengers and 29 crew members on board. The passengers included nationals from many different countries, among them 47 Americans, 44 Chinese, 28 Japanese, 15 Filipinos, 6 Thais, 4 Australians, one Swede, one Indian, one Canadian and one whose nationality is not clear at this point.

11. Apparently about two hours after its take-off from Anchorage, Soviet military authorities began to track the Korean jetliner. Shortly after it made a last radio contact with Japanese air controllers at Narita International Airport at 1823 hours at the altitude of 30,000 feet south-east of Hokkaido, Japan, no more contacts were possible with the Korean aeroplane.

12. We presume that it was at this time that the Korean aeroplane was hit by missiles fired from the Soviet fighters and destroyed with its 240 innocent passengers and the 29 crew aboard. If such an event were to occur on land, the result of guns fired at innocent people, the world would surely call it murder. What happened to the passengers of the Korean Air Lines flight 007 and crew is really no different. The men who pushed the buttons and gave the orders that sent the missiles into the unarmed civilian aeroplane surely knew that death was the inevitable result: the death of 269 totally innocent men and women from many countries.

13. There was no possibility of Soviet military authorities confusing the Korean Air Lines aircraft with anything other than a civilian passenger aeroplane. It was clearly marked as a Korean Air Lines plane. And the whole world knows that Korean Air Lines Boeing 747s fly regularly from New York, through Anchorage to Seoul. What Soviet military forces did to a civilian Korean aeroplane was clearly a criminal act in violation of all the legal norms and standards of international civil aviation.

14. I must point out to my colleagues from other nations that if this sort of thing can happen to one nation's civilian aeroplanes, it might happen to any nation's planes. If this can happen on one internationally-recognized and demarcated route, it might happen on other routes that come near the territory of the Soviet Union. My Government deeply appreciates the expressions of sympathy and support that it has received from around the world. They are especially welcome, because if this sort of international outlaw behaviour is allowed to proceed unpunished, nobody can be sure where it is going to stop. Whose planes, we must ask, will ultimately be safe?

15. The rules of international air safety have been carefully designed to ensure the safety of all civil aeroplanes. If they are respected, there will be no tragic incidents such as the one which has required this meeting today. There is no provision in international law that justifies the use of force against an unarmed civilian airliner under any circumstances. The action by Soviet military authorities against the Korean Air Lines aircraft was clearly in violation of the legal norms and generally accepted standards of international civil aviation. It is an action which threatens the very foundation of international order in civil aviation.

16. I cannot stress too much the seriousness of the tragic incident which has just been caused by the barbarous action of Soviet military authorities. It is clear that by shooting down a Korean civilian aeroplane the Soviet Union has posed a threat to the safety of all civil airliners of all nations. The very future of international civil aviation is now at stake. To resolve this crisis and to ensure the future safety of all civilian aeroplanes of all nations, the Government of the Republic of Korea believes that

the Soviet Union must take at least the following five steps.

17. First, the Soviet Union must offer a full and detailed account of exactly what has happened. Soviet statements that have been offered so far are clearly inadequate and unsatisfactory.

18. Secondly, the Soviet Union must offer full apology and complete compensation for the loss of the aircraft as well as to the families of the passengers and crew members who have been killed. That is not only in accordance with standard international practice in such circumstances but also a matter of common sense and decent human conscience.

19. Thirdly, the Soviet Union must adequately punish all those who are directly responsible for this most reprehensible and inhuman violence committed against a completely defenceless aeroplane carrying civilian passengers.

20. Fourthly, the Soviet Union must guarantee unimpeded access to the crash site to the representatives of impartial international organizations such as the International Civil Aviation Organization (ICAO) as well as of Korean Air Lines and the Government of the Republic of Korea. The Soviet Union must also return any remains or debris that may be found.

21. Finally, the Soviet Union must give credible guarantees against the recurrence of such violent actions against unarmed civilian aeroplanes anywhere in the world. Such guarantees must be specific, concrete and effective.

22. Before closing my statement, I should like to reiterate to the Council that the Government of the Republic of Korea has consistently sought peace and stability in the tense and historically troubled region of north-eastern Asia. That is why my Government is all the more deeply concerned at what happened on the night of 31 August, because what happened on that tragic night was so incompatible with the goal of peace and reduction of tension that the Republic of Korea seeks.

23. I wish to assure the members of the Council that the Republic of Korea remains ready and willing to examine and explore all possible means to reduce tensions in the area. It is the sincere hope of the Government and people of my country that other nations in the region will equally share our desire for peace and abhorrence of war and violence.

24. Finally, I should like to conclude my remarks by quoting from the statement issued by President Chun Doo Hwan of my country on 2 September in Seoul:

> "Together with all Koreans and other peace-loving peoples of the world, I am deeply grieved and angered at the shocking incident of Soviet war planes shooting down a Korean Air Lines (KAL) Boeing 747 passenger plane on September 1, 1983, killing all the 269 passengers and crew.
>
> "It is an over-riding principle of international law that the safety of civil aircraft be safeguarded under all circumstances. Moreover, the Soviet Union, as is indeed our country, is a member of the International Civil Aviation Organization and thus obliged to co-operate fully and to endeavor to ensure the safe passage of civil aircraft. Nevertheless, they attacked an unarmed civil airplane which had not committed any hostile act, killing all of the 269 persons on board. This is an utterly inhuman act which can never be tolerated for any reason whatsoever—an act which cannot escape the condemnation of all peace-loving peoples of the world.
>
> "As I pray for the passengers and crew who were victimized in this incident, I extend my heartfelt sympathy to their bereaved families and I express my deep regret to the countrymen and Governments of the foreigners involved."

25. Mr. LICHENSTEIN (United States of America): It is a pleasure, Sir, even on an occasion that I fear holds little pleasure as to substance, to greet you as you accede to the presidency. We welcome you as a friend, as a near neighbour and as a respected colleague. We fear that all of your talents—and they are many—will be amply tested this month. We know that you will meet the test as admirably, indeed as superbly, as did your predecessor, the representative of France, who served all of us and the United Nations last month during 31 most difficult days.

26. I wish at the outset to read out the statement issued today by the President of the United States as he left California on his return to Washington, where, at 1830 hours, he convened an extraordinary meeting of his National Security Council. It reads as follows:

> "In the wake of the barbaric act committed yesterday by the Soviet régime against a commercial jetliner, the United States and many other countries of the world express not only our outrage but also our demand for a truthful accounting of the facts. Our first emotions are anger, disbelief and profound sadness. While events in Afghanistan and elsewhere have left few illusions about the willingness of the Soviet Union to advance its interests through violence and intimidation, all of us had hoped that certain irreducible standards of civilized behaviour none the less obtained. But this event shocks the sensibility of people everywhere.
>
> "The tradition of the civilized world has always been to offer help to mariners or pilots who are lost or in distress in the sea or in the air. Where human life is valued, extraordinary efforts are extended to preserve and protect it, and it is essential that as civilized societies we ask certain questions about the nature of régimes where such standards do not apply.
>
> "Beyond these emotions, the world notes the stark contrast that exists between Soviet words and deeds. What can we think of a régime that so broadly trumpets its vision of peace and global disarmament and yet so carelessly and quickly commits a terrorist act to sacri-

fice the lives of innocent human beings? What can be said about Soviet credibility when they so flagrantly lie about such a heinous act? What can be the scope of legitimate mutual discourse with a State whose values permit such atrocities, and what are we to make of a régime which establishes one set of standards for itself and another for the rest of humankind?

"We join in the call for an urgent United Nations Security Council meeting today. The brutality of this act should not be compounded through silence or the cynical distortion of the evidence now at hand. Tonight I will be meeting with my advisers to conduct a formal review of this matter, and this weekend I shall be meeting with the leadership of the United States Congress.

"To the families of all those on the ill-fated aircraft we send our deepest sympathy, and I hope they know our prayers are with them all."

27. This strong and eloquent expression of anguish for the families of 269 victims, this expression of deep concern for what this heinous crime means for international peace and security, this statement by the President of my country, needs no amplification by me.

28. What I will try to do this afternoon is, first, to provide some framework, some context, for this tragedy. I will then spell out the facts as best we now know them. And let me note here that hour by hour these last two and a half days more and more facts have become, and are becoming, available to my Government, and as they do our concern deepens and our outrage grows. Then, finally, I will draw some preliminary conclusions about the possible meaning of this tragedy, the lessons that it may hold for us here in the Council and more generally for all people everywhere in the world who enjoy freedom, who would preserve the freedom they enjoy, those who seek freedom.

29. How can we begin to characterize this crime, a crime worse compounded by the Soviets' continuing denial of any responsibility for it, a denial which is in contempt of the truth, as gradually we are learning it, and in contempt of the opinion of civilized mankind? On the basis of the facts presently available to my Government, the crime must be characterized as calculated and deliberate.

30. From all presently available evidence, the pilot of the SU-15 Soviet interceptor, the pilot who pulled the trigger or pushed the button that unleashed the heat-guided missile which destroyed Korean Air Lines flight 007 and 269 innocent lives along with it, that pilot had the Korean 747 in his sights, clearly identified as a civilian airliner, well within two kilometres of the 747, for more than 10 minutes running prior to launching the destructive missile. The crime committed was indeed calculated and indeed it was deliberate and it was wantonly irresponsible.

31. On no conceivable assumption of the peril posed by a single commercial airliner to the putative security of the Soviet Union, a regularly scheduled nighttime flight, however much off course it may have strayed—on no conceivable assumption could the Soviet reaction be characterized as other than incommensurate, as outrageously excessive, as, to say it again, wantonly irresponsible. Let us call the crime for what clearly it is: wanton, calculated, deliberate murder.

32. Most of us by now know the basic facts of this criminal act, but let me again outline them in brief. At 1400 hours Greenwich mean time on 31 August, a Korean Air Lines Boeing 747 *en route* from New York to Seoul departed Anchorage, carrying 269 passengers and crew. At approximately 1600 hours the aircraft came to the attention of Soviet radar personnel. It was tracked constantly by Soviet military authorities from that time. According to irrefutable information available to my Government, the aircraft strayed into Soviet airspace over the Kamchatka Peninsula, over the Sea of Okhotsk, over Sakhalin Island. Throughout this entire time, for some two and a half hours, the Soviets tracked the commercial airliner.

33. A Soviet pilot reported visual contact with the aircraft at 1812 hours. The Soviet plane was in constant contact, was receiving orders and instructions from its ground control. At 1812 hours the Korean aircraft was reported by the Soviet pilot at 10,000 metres, roughly 33,000 feet. At 1826 hours, the Soviet pilot reported that he fired a missile and the target was destroyed. At 1830 hours the Korean aircraft was reported by radar at an altitude of 5,000 metres. At 1838 hours the Korean plane disappeared from the radar screens.

34. The United States Government knows that at least eight Soviet fighters reacted to the airliner at one time or another throughout this period in excess of two and a half hours.

35. The pilot who shot the airliner down reported after the attack that he had in fact fired a missile, that he had destroyed the target and that he was breaking away. As he put it, "I am leaving the attack". I must defer to our Soviet colleague; it may well be that I am not adequately or properly translating the Russian, but, then, he has all the facts in his possession.

36. It is also of interest to note that, prior to firing the heat-seeking missile, the pilot of the Soviet SU-15 interceptor deliberately circled back around behind the Korean Boeing 747 the better to aim his heat-seeking missile and in order to avoid any possibility of being hit by flying debris.

37. As we reflect on the possible meaning of this crime, its possible consequences, I want very briefly to touch on its implications for any reasonable approximation to the codes and conventions of international law.

38. First and foremost are the legal obligations which flow from what the International Court of Justice—whose jurisdiction, needless to say, the Soviet Union usually does not accept—has called "certain general and

well-recognized principles, namely, elementary considerations of humanity, even more exacting in peace than in war". If there were no other relevant rules, these well-recognized principles of humanity would rule out shooting down a passenger plane, a clearly marked airliner engaged in international civil aviation.

39. But there are other very relevant rules. There are the rules of the Charter of the United Nations about the prohibition of the use of force. There are rules specific to civil aviation. Annex 2 to the Chicago Convention on International Civil Aviation[1] contains rules of the air. These rules set forth the procedures to be used when intercepting a foreign aircraft not properly within the airspace of the intercepting country, that is to say, radio communications, rocking of wings and irregular flashing of lights. The rules of the air do not include shooting down the civil airliner. Attachment A to Annex 2 of the Chicago Convention is even clearer:

> "Interception of civil aircraft should be avoided and should be undertaken only as a last resort. If undertaken, the interception should be limited to determining the identity of the aircraft, unless it is necessary to return the aircraft to its planned track, direct it beyond the boundaries of national airspace, guide it away from a prohibited, restricted or danger area or instruct it to effect a landing at a designated aerodrome. Practice interception of civil aircraft is not to be undertaken.[2]

40. I have looked over the detailed log of some 75 instances, documented incidents, in which Soviet aircraft have strayed into Western—into American—airspace. I have looked over the log carefully to discover the response in each case. I wish to cite from that long catalogue only two rather interesting such flights. Among the numerous incidents, there was that of the Aeroflot flight into Dulles Airport on 8 November 1981. That flight entered United States airspace at an unauthorized entry point in New England, flew over New England land area, although its clearly demarcated route was almost exclusively over open water; it continued to overfly, according to that unauthorized route, the Pease Air Force Base and the naval facility at Groton, Connecticut, and then finally it landed at Dulles, Washington, D.C. Several days later the same aircraft, on leaving Dulles for its return flight, flew a similar unauthorized route over New England. My Government lodged a very firm protest. My Government then imposed what it considered a proportionate penalty: it suspended Aeroflot's scheduled service into Dulles for two flights. It did not authorize the use of a heat-seeking missile.

41. What might we expect that a normal, reasonably civilized Government might do in a situation such as the one that confronts us? It would, first of all, admit its responsibility for the act. It would express profound regret for the loss of life. It would undertake a credible investigation of the circumstances of the act to determine if there was individual responsibility and it would discipline the responsible individuals. It also would pledge that such an act would never be repeated and it would demonstrate that appropriate steps were being taken to ensure against any repetition.

42. What, by contrast, has the Soviet Union done till now? Has it given the slightest indication that it accepts responsibility for this heinous act? Has it shown the least bit of compassion for the families of those innocent people who were killed—who were, as I have said, murdered? Has it taken any steps to initiate a process of investigation to determine responsibility? Has it given any sign of reassurance to the international community that it appreciates the gravity of what has happened and will take whatever steps are necessary to ensure against its repetition?

43. On the contrary, the Soviet attitude has lacked even a trace of contrition. In the face of utter disbelief on the part of the entire international community it continues to deny any responsibility for shooting down this unarmed civilian airliner. It has shown no regret over the loss of life. It has indicated no readiness to punish those responsible. It has demonstrated no determination to avoid a repetition of such an incident. It has, in other words, behaved with complete and, I must add, characteristic contempt for the international community and for even minimal standards of decency and civilized behaviour. In its refusal to admit the truth it is lying—openly, brazenly, knowingly. In so doing it is ironically showing its true face to the world, the face that is so often hidden behind the peace offensive, behind the propaganda machinery, behind its talk of brotherhood and human solidarity and international co-existence. It is the face of a ruthless totalitarian State, a State which has been responsible over the past six and a half decades for killing more people—the latest estimate I have read is between 70 million and 80 million—and enslaving more nations than any State, any régime, in the history of mankind; a State that tailors its concept of truth to what will advance its own interests—that and nothing else; a State that does not accept responsibility for a minimally decent international order; a State whose ultimate objective is to remake the world in its own image, which necessarily means a world in which it will control the lives of people and the fate of nations as completely and as ruthlessly as it exercises control over its own people—and, I should add, over those who innocently stray into its airspace.

44. If we are to learn anything from this awful tragedy, it is this message and this terrible warning. It is said that we must—and, of course, we must—live in the same world with the Soviet Union; but if we are to live in that world in freedom, not in slavery, and if that world is to continue to allow room for the individual existence of nations and the survival of freedom and comparable human values, then it is best that we recognize now, before it is far, far too late, the true nature of Soviet totalitarianism and the threat it poses to all people—those living under its yoke and those still free of such domination.

45. Let me complete my statement by reading the words of a noble and eloquent Russian, formerly a citizen of the

Soviet Union—not atypically a former citizen of the Soviet Union who now finds it necessary to live outside his country. I quote the following from Aleksandr Solzhenitsyn:

"Let us not forget that violence does not and cannot exist by itself: it is invariably intertwined with the lie. They are linked in the most intimate, most organic and most profound fashion. Violence cannot conceal itself behind anything except lies, and lies have nothing to maintain them except violence. Anyone who has once proclaimed violence as his method must inexorably choose the lie as his principle."

46. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): May I, first of all, congratulate you, Sir, on your assumption of the lofty post of President of the Council and wish you success in your responsible activities.

47. I should also like to point out the unusually great deal of energy shown by your predecessor, the representative of France.

48. With regard to the convening, at the request of the United States, of today's meeting of the Council, the Soviet delegation deems it necessary to state the following. In the view of the Soviet Union, the convening of the Council in connection with the South Korean aeroplane is something totally without grounds, unjustifiable and unnecessary. The Soviet view of this incident is to be found in the TASS statement issued in Moscow on 2 September. It reads as follows:

"As has already been reported, on the night from August 31 to September 1 this year an unidentified plane had rudely violated the Soviet State border and intruded deep into the Soviet Union's airspace. The intruder plane had deviated from the existing international route in the direction of the Soviet Union's territory by up to 500 kilometres and spent more than two hours over the Kamchatka Peninsula, the area of the Sea of Okhotsk and the Island of Sakhalin.

"In violation of international regulations the plane flew without navigation lights, did not react to radio signals of the Soviet dispatcher services, and itself made no attempts to establish such communication contact.

"It was natural that during the time the unidentified intruder plane was in USSR airspace, Soviet anti-air defence aircraft were ordered aloft which repeatedly tried to establish contacts with the plane using generally accepted signals and to take it to the nearest airfield in the territory of the Soviet Union. The intruder plane, however, ignored all this. Over the Sakhalin Island, a Soviet aircraft fired warning shots with tracer shells along the flying route of the plane.

"Soon after this the intruder plane left the limits of Soviet airspace and continued its flight towards the Sea of Japan. For about 10 minutes it was within the observation zone of radio location means, after which it could be observed no more.

"Now a hullabaloo has been raised in the United States and some other countries around the disappearance of a South Korean plane carrying out a flight from New York to Seoul.

"One's attention is drawn to the fact that already in the first report about this reference was made to the United States Central Intelligence Agency. Further reports emanating from the United States provide increasingly more grounds to consider that the intinerary and the nature of the flight were not accidental. It is indicative that now, *post factum*, the American side not only officially admits the fact of that plane's violation of Soviet airspace but also cites data which indicate that the relevant United States services followed the flight throughout its duration in the most attentive manner.

"So one may ask that if it were an ordinary flight of a civil aircraft which was under continuous observation, then why were there no steps taken from the American side to end the gross violation of the airspace of the USSR and to get the plane back to an international flight route?

"Why did the American authorities, which now resort to all kinds of dirty insinuations about the USSR, not try to establish contact with the Soviet side and provide it with the necessary data about this flight? Neither was done, although there was more than ample time for this.

"It is appropriate to recall that instances of deliberate violation of the State frontiers of the Soviet Union by American planes, including in the Far East, are far from rare. Protests have repeatedly been lodged with the United States Government over that matter.

"In the light of these facts the intrusion into the airspace by the mentioned plane cannot be regarded in any other way than a pre-planned act. It was obviously thought possible to attain special intelligence aims without hindrance using civilian planes as a cover.

"More than that, there is reason to believe that those who organized this provocation had deliberately desired a further aggravation of the international situation striving to smear the Soviet Union, to sow hostility to it and to cast aspersions on the Soviet peace-loving policy.

"This is illustrated also by the impudent, slanderous statement in respect of the Soviet Union that was instantly made by President Reagan of the United States.

"TASS is authorized to state that in the leading circles of the Soviet Union regret is expressed over the loss of human life and at the same time a resolute condemnation of those who consciously or as a result

of criminal disregard have allowed the death of people and are now trying to use this occurrence for unseemly political aims."

49. In light of what I have just read, the request of the United States to the Council is only a cover, a counterfeit coin tossed down in the dirty game of anti-Soviet policy they are playing. The purpose the United States is pursuing today is to create a propaganda display; this is quite obvious. It is a display calculated to present the USSR in a false light and thereby to acquire another pretext to justify the militaristic policy in the United States. For this purpose the United States Administration is determined to use the most shameless means.

50. As is well known, to get at the truth of various events we need to ask a key question: who stands to gain advantage from them and who can gain from a new wave of anti-Soviet hysteria, under the noise of which they can say that, supposedly, the Soviet Union should not enter into agreements with anyone? Who stands to gain from a situation of hysteria and a whipping up of passions in which demands are made to cut off all types of negotiations with the Soviet Union? Who stands to gain from a military psychosis under cover of which appeals are made to arm and arm?

51. There can be only one answer to these questions. Such appeals have been made from the very beginning by the current United States Administration, which is waging a crusade against communism. Therefore, if we were to summarize in one sentence the reason for today's ignominious show, we could say the following.

52. The United States Administration is looking for yet another pretext to justify its irresponsible policy in the preparation for nuclear war. Its manipulation of the norms of morality represents an attempt to justify the most immoral actions in the history of mankind—to justify a policy of thermonuclear world war.

53. That is the very essence of the calumny against the Soviet Union which has been dragged out today by the United States.

54. The PRESIDENT: The next speaker is the representative of Japan, whom I invite to take a seat at the Council table and to make his statement.

55. Mr. KURODA (Japan): I should like, first of all, to take this opportunity to congratulate you, Sir, on your assumption of the presidency for this month. We are confident that with your amply demonstrated diplomatic skills the Council will successfully discharge its responsibilities which are particularly important at this time.

56. I should like also to express our appreciation to your predecessor, Mr. de La Barre de Nanteuil, the representative of France, who so ably guided the deliberations of the Security Council during the month of August.

57. The issue before us today is an appalling tragedy and a wanton act of violence. A commercial airliner filled with innocent travellers of different nationalities was shot down by a missile fired by a jet fighter. This happened only because the aircraft accidentally went off course, straying into the airspace of the Soviet Union.

58. In the light of the urgency and the gravity of the problems involved, I requested, under instructions from my Government, the convening of an emergency session of the Council [S/15950] in order to bring this unrestrained use of force to the attention of the Council.

59. A Boeing aircraft 747, Korean Air Lines flight 007, *en route* from New York to Seoul, departed Anchorage, carrying 269 passengers and crew, including 28 Japanese nationals. According to the data available to us, we are compelled to believe that the Korean aircraft was shot down by a missile fired by a Soviet jet fighter at 0338 hours on 1 September, off the shore of Sakhalin, and near Kaiba Island.

60. Because of the geographical proximity of the probable site of the incident, my Government immediately staged a large-scale search and rescue operation, dispatching 10 patrol boats and 4 fishing observation boats to the area of the high seas. At 1200 hours, on 2 September, one of the patrol boats found a petroleum spill on the surface of the sea, 18.6 miles west-north-west of Sakhalin.

61. Japan believes this insidious assault on an innocent and defenceless civilian aircraft by the Soviet military authorities is totally unjustifiable for whatever reason and should be strongly condemned.

62. Granted that the Korean aircraft strayed into Soviet airspace in the first place, Japan feels with indignation that the action taken by the Soviet authorities to correct this error was totally out of proportion.

63. As for measures to deal with the violation of airspace, there are relevant articles in the annexes to the Chicago Convention on International Civil Aviation, which are honoured by the majority of ICAO member States. These articles stipulate that the fullest protection of the safety of international civil aviation must be guaranteed. All of these articles, but above all that which calls for abstention from the use of weapons, should be fully respected.

64. Thus, in the light of the provisions of the Convention as well as of the basic norms of international law, the action of the Soviet Union can in no way be justified. It should be recalled that the Convention stresses the significant role international civil aviation plays in promoting friendly and co-operative relations among nations. In view of its significance, this wanton act, if overlooked, will lead to the collapse of the safety régime of international civil aviation which ICAO has steadily established, and thus will grossly hamper the promotion of friendly and co-operative relations among nations.

65. How can we maintain freedom of transportation and a free exchange of ideas if planes are constantly

exposed to the danger of being attacked? How can we live together in this small world if trespassing would immediately result in mortal danger?

66. It should also be pointed out that the lives of 28 Japanese nationals are involved in this tragedy and that the Japanese Government has therefore every reason to express its grave concern over this incident.

67. The Government and people of Japan are extremely anxious about the fate of the missing passengers and crew. For this reason, the Government of Japan has been seeking the full co-operation of the Soviet authorities. We have repeatedly requested that they provide us with any information they may have regarding the incident. We have requested permission to enter Soviet territorial waters in order to investigate this matter. We have also requested from them information regarding the actual site of the incident and the results of the searches they have undertaken.

68. The Soviet Union, however, has totally failed to provide any satisfactory response to these requests. The Soviet Union has not yet explained what actually took place. This is most deplorable, since it is a situation that affects the trust that must obtain among nations.

69. The Japanese Government is of the view that the Soviet attitude will have a serious effect upon the peace and stability of the world, particularly Asia and the Far East. It demands that the Soviet Union take prompt and sincere action, and this should include a full report on the facts.

70. Unless the Soviet Union shows its willingness to co-operate in good faith by clarifying the facts, it will be exceedingly difficult to ensure the safety of international civil aviation in the future.

71. The Japanese Government strongly urges all States to work to ensure that incidents of this sort never take place again anywhere in the world.

72. In order to prevent the occurrence of a tragedy of this kind in the future, a thorough investigation is essential. To this end, it is further essential that this investigation be carried out by appropriate world bodies in order to reinforce and complement the current search-and-rescue operation.

73. The United Nations system is empowered with various fact-finding functions. I should therefore like to call upon the member States of the Council urgently to mandate a fact-finding mission, making use of ICAO or other international bodies.

74. As the history of mankind amply demonstrates, this sort of tragedy has triggered numerous international conflicts and tensions. Mistrust, suspicion and misunderstanding among nations have often led to armed conflict. Our collective wisdom in this age demands that we deal with such tragedy with utmost sincerity and open-mindedness. I do not believe the settlement of this tragic incident can be achieved through negative responses.

75. I once again call upon the Soviet Union to co-operate with the efforts made by my country and others to investigate this deeply regrettable incident of violence.

76. The PRESIDENT: The next speaker is the representative of Canada, on whom I now call.

77. Mr. PELLETIER (Canada): At the outset, Sir, I should like to congratulate you, your Government and people for the distinction of serving as President of the Council. Our two countries have the most cordial of relations, linked by the same hemisphere and common membership in so many organizations.

78. I should also like to express my gratitude to you and to the Council for giving Canada an opportunity to participate as an aggrieved party in this emergency debate, the call for which my Government strongly supported in its letter to you, Sir, of yesterday evening [*S/15949*].

79. In this day of international travel, we are dealing with an incident which has touched directly many members of the United Nations family and which touches, by extension, all nations. In the case of my country, at least eight of our citizens were on board the Korean Air Lines Boeing 747 flight 007 of 31 August. The Canadian people, no less than their Government, are horrified and outraged by what has happened. There can be no justification, whatever might have been the circumstances, for this demonstration of the willingness of a super-Power to exercise its military might against the unintentional presence in its airspace of innocent civilians, and to destroy, in this instance, 269 lives.

80. The deliberate in-flight destruction of this civilian, unarmed, easily identifiable passenger aircraft by sophisticated fighter aircraft of the Soviet Union, no matter where it occurred, is nothing short of murder. It is a flagrant attack on the safety of international civil aviation which should never have occurred and must not be allowed to occur again. After condemning this act, the Council should begin an urgent process in an impartial and effective manner to prevent any repetition of such an insult to humanity.

81. From the point of view of international law and accepted practices governing conduct between law-abiding sovereign nations, the Soviet Union in this incident has been guilty of outlaw behaviour.

82. It is widely accepted, in international law, that the principle of proportionality applies. The action of the Soviet Union in dealing with this incident is without doubt in total contravention of this principle. Moreover, the Soviet action, in the absence of any state of hostility or even heightened international tension in the area, makes it all the more unjustifiable.

83. It would be ludicrous for the Soviet Union to pretend that it had to massacre 269 civilians, travelling on a

civilian aircraft, to protect its sovereignty. The opening of fire on the Korean aircraft was in excess of what is commensurate with the gravity of the threat represented by the presence of a civilian aircraft in Soviet airspace and, therefore, the Soviet Union has infringed a basic principle of international law.

84. The United Nations and its system of international organizations has the ability and the machinery in place to undertake the task before us. It remains for the Council to provide the impetus to ensure that it is undertaken and completed promptly and effectively.

(*The speaker continued in French.*)

85. I should like, on behalf of my Government, to suggest for the consideration of the Council a three-part programme of action.

86. First, we believe that it is essential to conduct an impartial investigation of this incident in order to determine all the relevant facts as well as the circumstances. This will require the most complete form of co-operation not only by the States directly involved in this tragic incident, but also by those such as Canada, which feel a deep humanitarian concern because of the death of their own citizens or, more generally, because of their fundamental respect for human values. We believe that the Secretary-General is the best person to undertake this task successfully and that it should be accomplished as soon as possible. The Secretary-General should be requested to report to the Council on this subject, which is considered to be of the utmost urgency.

87. Secondly, we believe that we should ask ICAO to conduct on an urgent basis, in co-operation with the Secretary-General, a detailed investigation of the incident with a view to making recommendations in order to improve the rules and regulations of international civil aviation and to prevent the repetition of a similar incident. We take it for granted that the Government of the Soviet Union will offer its full co-operation in such an investigation. If this incident were only a tragic accident, the Soviet Union would be requested, in keeping with the Chicago Convention on International Civil Aviation,[1] to conduct its own inquiry. Since this catastrophe was the result of a deliberate act, it is all the more mandatory for the Soviet Union to facilitate the investigation by ICAO in whatever manner may be necessary.

88. Thirdly, and as an interim measure while awaiting the result of the investigation and the revision of the rules and practices of international civil aviation, we believe that the Soviet Union should be requested, for urgent humanitarian reasons, to pay generous and immediate compensation to the families of the victims. I could recall precedents for the voluntary prompt payment of compensation in similar circumstances. This initiative, if necessary, could be facilitated by the assistance of bodies such as the International Committee of the Red Cross.

89. The Canadian Government presents these suggestions in the hope that they may not only move forward the debate in which we are engaged, but also that they may facilitate additional efforts that will be made elsewhere within the United Nations system and, I would hope, by those who have caused this horrible tragedy. The Council must make sure that this incident will be the last of its kind to cause such universal indignation.

90. The examination of the grave situation before us must not be imbued by any desire to engage in polemics but rather by what ought to be our common concern for human life, security and safety. We are therefore confident that the deliberations of the Council and the effective action which it must undertake will not be hindered by the exercise of the right of veto. Any tactic of that kind would be considered as a lack of conscience and would quite rightly be interpreted as an admission of guilt.

91. The PRESIDENT: The next speaker is the representative of Australia. I invite him to take a place at the Council table and to make his statement.

92. Mr. JOSEPH (Australia): Mr. President, first I should like, through you, to thank the members of the Council for allowing my delegation to address them this afternoon.

93. As I said in my letter of today's date to the President of the Council associating Australia with the request for this meeting [*S/15951*], it was with shock and indignation that my Government learned of the circumstances of the downing of the Korean Air Lines flight 007 on 31 August.

94. The loss of the 269 on board makes this the fifth most serious air disaster in aviation history. The casualties include at least one Australian family, including two small children.

95. There is no circumstance in which any nation can be justified in shooting down an unarmed civilian aircraft serving no military purpose. The fact that the aircraft may have strayed into Soviet airspace provides no justification whatsoever for an attack on the aircraft.

96. Let me underline this point. The Korean aircraft concerned was clearly an unarmed commercial airliner. Standard procedures governing the situation where a civil aircraft may have strayed into another country's airspace are laid down in the 1944 Chicago Convention on International Civil Aviation[1] to which both the Soviet Union and the Republic of Korea are parties. Annex 2 to that Convention, which covers the rules of the air, lays down in attachment A specific procedures to be followed in the event of interception, which itself is to be used only as a last resort[2]. An attack on a commercial civil aircraft which penetrates the air medium of a contracting State has been condemned by ICAO, notably after the Libya airliner incident of 1973.

97. It is abundantly clear that the Soviet fighter aircraft involved failed to follow the procedures laid down by that Convention and instead chose to exercise a singularly brutal option.

98. Many questions remain unanswered. Who gave the order to fire? Was it some impulsive act of a single pilot or unit? The disciplined command system that permeates the Soviet armed forces makes that explanation almost inconceivable. Nor is the suggestion of mistaken identity at all credible: there is no way of mistaking a Boeing 747 even in darkness. We have noted reports that the Soviet fighter that discharged the missile was in constant contact with its ground control and flew close enough for a visual inspection.

99. But whether it was an appalling individual blunder, failure of communication, or an act authorized from on high, it was a barbarous episode incompatible with decent relations between civilized nations. It was quite simply a massacre in the sky.

100. The Australian authorities are conscious that, while it was a Korean airliner that was shot down, such lawlessness in the skies has threatening implications for the civil aircraft of all nations. The incident must be of grave concern to every nation interested in the safety of air navigation.

101. While I would not wish to dwell on the matter, the episode is also a tragic illustration of the consequences of continued hostility relating to the Korean peninsula. It is our firm conviction that the attempts by the Soviet Union and others to deny the Republic of Korea its legitimate place in the international community and its rights in international law have contributed to the circumstances in which this appalling act has taken place.

102. Finally, Australia joins other members of the international community in demanding an immediate and full accounting from the Soviet authorities. We have put this request bilaterally, and I repeat it here today in a multilateral context. The explanations so far emanating from Moscow about the episode are in our view entirely inadequate. There has been a refusal thus far either to acknowledge responsibility or even to extend a convincing expression of regret for the action. This is deplorable. We appeal to the Soviet Union. If the Soviet authorities give in to the instinct to cover up, it will only confirm the worst fears of those who suspect them most, with repercussions across the spectrum of international relationships.

103. In this regard, I must say that one cannot but feel profoundly disturbed by the latest TASS statement, which was read to the Council earlier this afternoon by the representative of the Soviet Union [*para. 48*]. We found no element of contrition in that statement. It amounts, at least on first reading, to blaming the victims themselves. I remind the Soviet delegation that some of those victims were Australian citizens, and I would say firmly on behalf of those victims, now deceased, that they were entirely blameless in this appalling episode. We reject this latest attempt at evasion of responsibility.

104. I should not wish to conclude, Sir, without welcoming your assumption of the presidency in what may well be a difficult period. My delegation is confident that under your skilled guidance there will be a sustained effort to bring this matter to an appropriate conclusion.

105. Mr. van der STOEL (Netherlands): It is good to know, Sir, that a wise and distinguished colleague presides over the Council this month. We also owe a debt of gratitude to your predecessor, who presided over the Council with such distinction during August.

106. Yesterday the world was shocked by reports of the destruction of a civilian aircraft carrying 269 passengers and crew over waters off the Japanese island of Hokkaido. We offer our heartfelt condolences to the families of those who died as a consequence of this disaster.

107. In the course of the day, as more information became available, it began to dawn upon us that this tragedy was not an accident caused by some unfortunate human or technical failure, but that it was brought about by a deliberate attack by fighter aircraft of a State Member of the United Nations. It was deliberate because, for all we know, the aircraft which had inadvertently strayed from its course when it entered Soviet airspace was clearly identifiable as a civil aircraft, and it had been tracked by Soviet radar for over two hours before the fatal missile attack occurred. Moreover, we have learned that at the time the missile was fired the pilot of the Soviet fighter plane was in constant contact with his ground control.

108. It goes without saying that we learned with profound revulsion of this incredible and atrocious brutality.

109. Given the facts as they are known to us at this moment, my Government would agree with those Governments which have asked for an urgent meeting of the Council that, faced with such a flagrant and serious attack on the safety of international civil aviation, this body cannot and should not remain silent.

110. Whatever the possible mistakes made by the pilot of the Korean airliner which led the aircraft to stray from its course, there can be no justification for this massive violation, not only of the law of international civil aviation but indeed of basic norms of behaviour in international affairs. The Netherlands therefore cannot but strongly condemn this horrible act.

111. The Netherlands cannot conceive of any circumstances which would warrant Netherlands military aircraft shooting down a foreign commercial airliner that had strayed from its flight plan in our airspace, even if attempts at communication were unsuccessful. In cases of identified passenger aircraft straying into Netherlands airspace such events might lead to a diplomatic protest, at most. Penetration into our airspace of an unidentified aircraft may sometimes lead to interception by fighter planes, which would then escort that aircraft out of our national airspace. In any case, civilian aircraft will not be shot down.

112. In view of the gravity of these events, we had hoped that the Council would at least receive an assurance by

those who must bear the responsibility for this wanton act of destruction of human life that adequate measures will be taken to prevent their recurrence. Also, of course, we would have expected an expression of regret. We have now heard the statement of the representative of the Soviet Union. Our hope has proved to be an illusion. In answer to the detailed and substantial evidence provided by the representative of the United States, we have been obliged to listen to an outrageous story about spying—spying by a commercial airliner. The total lack of credibility of this story is obvious.

113. In condemning the brutal act which has been committed, we must consider that this act is even more serious because those responsible for it clearly do not show understanding of its gravity.

114. Mr. Shah NAWAZ (Pakistan): Allow me first, Sir, to express our profound satisfaction at your assumption of the presidency for the month of September. I have had the pleasure of working in close co-operation with you on major issues facing the United Nations and am deeply impressed by your diplomatic skill and experience and your knowledge of international affairs, which ensure that you will guide the deliberations of the Council with great distinction and success.

115. I also take this opportunity to pay a tribute to the representative of France for his outstanding leadership of the Council during the term of his presidency last month.

116. Today we have before us an issue which must cause deep anxiety to the international community. The statements made this afternoon and the letters addressed to you, Sir, by the representatives of Australia, Canada, Japan and the United States and the observer for the Republic of Korea, speak of the destruction of a Korean Air Lines jumbo jet and its 269 passengers, and crew, in tragic circumstances. The United States representative stated that his Government is in possession of incontrovertible evidence pointing to the shooting down of the jetliner by a Soviet fighter plane whose pilot was heard reporting its destruction by a missile fired by him.

117. The legal and technical questions arising from the incident have been covered by the statements of the representatives of Canada, the United States and other speakers. Assuming that this body of information correctly portrays all the relevant aspects of the incident, the international community cannot but deplore the shooting down of the Korean airliner in callous disregard for the sanctity of human life. We join the international community in expressing to the members of the bereaved families our deep sympathy and profound condolences on the loss of their loved ones in this tragic incident.

118. The whole world is waiting for greater light to be thrown on this sad event by the Soviet authorities, who are in the best position to do so. According to a TASS report which has been cited by the Soviet representative, an intruder plane, without navigational lights, twice violated Soviet airspace and failed to react to signals and warnings from the Soviet fighter aircraft which were sent up to establish contact with it. The statement is silent on the fate of the aircraft and the specific charge that it was shot down by Soviet fighter planes. The Soviet Union has an obvious obligation to the world community to provide, without further delay, complete information in regard to the loss of the Korean Air Lines planes and also to facilitate impartial investigation into the incident. In the absence of such information, the world community cannot but form its judgement on the basis of the available information and express its sense of outrage and shock at this appalling incident.

119. This incident is all the more regrettable since it is not the first time that a civilian aeroplane has strayed into alien airspace and suffered the consequences of nervous fingers on the trigger.

120. In today's world, where air travel is so extensive and the air lanes so crowded, the safety of the hundreds of thousands of passengers travelling daily on these airlines cannot be guaranteed by means which are exclusively legal and technical in nature. What is required above all is the exercise of compassion and forbearance and the avoidance of extreme and drastic measures in situations where the element of human error or navigational inexactitude in conforming to technical requirements is always present. This is necessary because unintentional and stray cases of violations of airspace cannot be ruled out. What must be ruled out is resort to irreversible acts of violence in such cases, which could have the gravest consequences.

121. Mr. LOUET (France) (*interpretation from French*): Mr. President, may I first of all be permitted to say that my delegation is truly happy to see you occupying this post for the month of September. It is a responsible role facing you and we know that your great qualities will enable you to assume the responsibilities with great success. You can certainly rest assurred of our full co-operation.

122. I thank you, Sir, as I thank earlier speakers, for the kind words addressed to Mr. de La Barre de Nanteuil which I shall not fail to convey to him upon his return.

123. It is very difficult for me to add anything to what previous speakers have said much more eloquently that I might be able to do. I shall therefore make a rather brief statement.

124. It is with a profound feeling of indignation and horror that the French Government heard the news of the destruction, during its flight, of an aircraft belonging to a civil airline while on a regular flight. To the families of the 269 victims we address our heartfelt condolences, and our thoughts are also with the Governments of those nationals who died in this tragedy. As the French Foreign Ministry stated yesterday:

> "Apart from the safety of civil air transport, at stake are the principles governing international relations and respect for human life."

Indeed, according to our information, this Korean Air Lines plane was knowingly destroyed, in disregard of ele-

mentary humanitarian considerations and the demands of civil aviation safety as recognized by the international community.

125. It is indispensable for full light to be shed upon this tragic event, for the circumstances to be quickly and fully clarified with the help of all and for responsibilities to be clearly determined. To this end, the Council should request the Secretary-General to gather together all the information possible in order to report to the Council within 48 hours.

126. We make an urgent appeal to the Government of the Soviet Union, and to the other Governments concerned, to facilitate the task of the Secretary-General.

127. Mr. LING Qing (China) (*interpretation from Chinese*): Mr. President, the Chinese delegation would like to express great satisfaction at seeing you, a distinguished diplomat from Guyana, conducting the deliberations of the Council for the month of September. Your talents and wisdom and your rich diplomatic experience are well known, and the positive contributions made by you in the last two years to our work are widely appreciated by colleagues in the Council. I believe that under your firm guidance the Council will be able successfully to accomplish its tasks in the month of September.

128. I should also like to take this opportunity to express gratitude to your predecessor, the President for the month of August, Mr. de La Barre de Nanteuil of France. The diplomatic skill displayed by him during his presidency has deeply impressed us.

129. The Chinese delegation has listened with attention to the statements made in the Council. We are shocked at and deplore the incident in which a Soviet fighter aircraft went so far as to shoot down a South Korean airliner, causing the death of 269 passengers and crew, including quite a number of Chinese compatriots of China's Taiwan province and Hong Kong.

130. The Chinese delegation would like to take this opportunity to extend condolences and sympathy to the bereaved families of the victims.

131. Sir John THOMSON (United Kingdom): The circumstances in which you, Sir, come to the presidency are sad and serious. We as a Council are therefore all the more fortunate to have as our President at this time a man of experience, ability and courage, one who knows how to keep order and remain calm. We particularly welcome and congratulate you as a representative of a notable Commonwealth country. We know that you will conduct our affairs with the same ability as your predecessor, Mr. de La Barre de Nanteuil, a very distinguished diplomat—even measured against the standard of the French Diplomatic Service.

132. My Government has already expressed publicly its condolences to the families of the many victims of this disaster. It has also expressed its grave concern and horror at the shooting down by a Soviet fighter of an unarmed Korean passenger airliner. The Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom summoned the Soviet Ambassador in London this morning and conveyed both our strong condemnation of the incident and a request for a full explanation.

133. Let me reiterate in this forum our horror at this tragic incident for which we can see no possible justification. The Soviet Government is duty bound to provide us with a proper explanation of what happened. Such explanation as we have had from it so far is totally inadequate—and in saying this I include the statement we heard this afternoon from the representative of the Soviet Union.

134. We have also heard from the observer for the Government of the Republic of Korea that it is seeking a proper explanation, an apology, compensation, the return of the remains and appropriate disciplinary action against those responsible, as well as arrangements designed to prevent any repetition of such incidents. My Government fully supports those requests.

135. I understand that one United Kingdom national and 13 Hong Kong residents were on the plane when it was shot down. In these circumstances, my Government reserves its right to take any appropriate action in accordance with international law.

136. This horrendous event has consequences for all of us, not just those unfortunate enough to have had nationals on board the airliner and for the bereaved: it has grave implications for the safety of civil aviation in general and for the travelling public of the world as a whole.

137. In the present tragic and serious circumstances, it appears to my Government that the best course would be for the Soviet Union to give the world a frank and honest account of what really happened. That would do something to reduce the damage to the international climate. I listened with mounting concern and indignation to the last part of the statement made this afternoon by the representative of the Soviet Union. The language he used was evasive, but even more important it was not calculated to help the cause of good international relations.

138. Allow me to express the hope that the appalling action by the Soviet authorities which has brought us together this afternoon was not intended to be a signal of their intentions towards international relations as a whole. I trust we shall receive an assurance on this point.

139. Mr. MAPANGO ma KEMISHANGA (Zaire) (*interpretation from French*): On my own behalf, and that of my delegation, I should like at the outset to join those who have preceded me and convey to you, Sir, our sincerest and warmest congratulations on your assumption of the presidency for the month of September. Once again we take pleasure in seeing you guiding our debates. Your exceptional diplomatic and intellectual qualities that are well known to all are a guarantee for the success of our

work in this matter of the South Korean Air Lines flight 007 which, unfortunately, seems to augur difficult days ahead. That being so, you can count on the positive contribution of my delegation during your difficult mandate as President of the Council.

140. I should like also to avail myself of this opportunity to express our full appreciation to another outstanding diplomat, Mr. Luc de La Barre de Nanteuil of France, for the excellent manner in which he directed the Council's work last month.

141. The question which is before the Council today is so serious that it represents for Zaire a threefold and deep concern. I say a threefold concern since the act that has just occurred is, in itself, regardless of any implications involved, one of extreme seriousness. Our first concern is that a civil aircraft, a South Korean Boeing 747 with 269 passengers on board, was intercepted and shot down during flight somewhere over Soviet airspace, causing the death of 269 passengers and crew—men, women and children. That is what is so shocking. That is what shows a certain folly of our times and cannot leave indifferent anyone who would like to ensure the best possible conditions for inter-State relations, emanating from the interdependence of nations, an interdependence that necessarily involves giving concrete form to the principle of the peaceful coexistence of States, large and small, with different political, economic and social systems.

142. Our second concern stems from the fact that the target chosen by the Soviet air force comes from a small, developing country, defenceless and with limited resources.

143. Our third concern arises from a certain number of questions we should like to have answered and for which no valid explanation has so far been given. In particular we wonder whether the Republic of South Korea has recently been involved in full armed conflict with the Soviet Union. And even had there been such a conflict between the two States, is that justification for the act that caused so many civilian victims? What remains of all the appropriate international conventions on this subject, including the 1944 Chicago Convention on International Civil Aviation[1], to which the Soviet Union itself is a party, and its annexes?

144. Truth to tell, this is an odious, barbaric act, an act of useless provocation. Having caused 269 innocent victims in contempt of the most elementary norms of international law and of morality, this deliberate—this criminal—attack against a South Korean civilian aircraft identified by a Soviet Army fighter plane deserved the firm and energetic condemnation of the international community, for it constitutes a serious threat to international peace and security. Such an act, which is tantamount to murder, cannot be explained. In the name of peaceful coexistence, the principle upon which the whole of Zaire's foreign policy is based, we must condemn this act with all our energy.

145. We can understand that through a navigational error the South Korean Boeing 747 might suddenly have found itself inside Soviet Union airspace, but is that the reason for such an act? If, furthermore, it is true that errors can happen, what could be more normal than to ask the pilot to correct his course and return to the correct route instead of moving immediately to the attack—as though the Soviet Union were being threatened with destruction by this commercial aeroplane?

146. Whatever the explanation, this act is far out of proportion to the argument based on the so-called violation of Soviet airspace. Had that violation been the act of a South Korean military aircraft we might understand it, but that it should be attributed to a navigational error on the part of a civilian aircraft boggles the mind. Hence my delegation requests that urgent measures be taken in order to avoid the repetition of such an act.

147. Before concluding, I should like to associate my delegation with all the delegations that have already spoken in sharing with the families of the victims the anger and grief that they must feel at this solemn moment.

148. The PRESIDENT: The next speaker is the representative of New Zealand. I invite him to take a place at the Council table and to make his statement.

149. Mr. HARLAND (New Zealand): May I begin, Sir, by congratulating you on your assumption of the presidency. We appreciate very much this opportunity to address the Council under your distinguished stewardship.

150. New Zealanders, like people in many other countries, have been deeply shocked to hear of the shooting down by Soviet military aircraft of an unarmed civilian aircraft carrying many passengers. Yesterday the New Zealand Parliament unanimously adopted the following motion introduced by the Minister for Foreign Affairs:

> "This House expresses its deep concern that Soviet military aircraft tracked a Korean Air Lines unarmed commercial aircraft for over two hours and, with ample time to verify an innocent intrusion into Soviet airspace and to take appropriate measures, then coldbloodedly and barbarically shot down the aircraft with heavy loss of life. This House further calls upon the Soviet Union to explain this act of international lawlessness and to bring those responsible to account. And further, this House expresses its heartfelt sympathy to the innocent victims and to the people of the Republic of Korea."

151. The New Zealand Government joins in the international condemnation of this outrageous act of international lawlessness. The explanations so far given by the Soviet Union are totally inadequate. The fact is that 269 innocent people have been killed. It is not enough for the Soviet leadership to express in some shuffling way its regret for the human loss. The world is waiting for the Soviet leadership to explain how this tragedy was allowed to happen and what will be done to prevent such outrages from happening again.

152. The PRESIDENT: The next speaker is the representative of the Federal Republic of Germany, whom I

invite to take a place at the Council table and to make his statement.

153. Mr. JELONEK (Federal Republic of Germany): Mr. President, I should like to thank you and all the members of the Council for affording my country the opportunity to take part in this debate. I also congratulate you on your assumption of your high office and wish you every success in the discharge of your duties.

154. The Government of the Federal Republic of Germany joins in the worldwide horror at and condemnation of the downing of an unarmed civilian aeroplane. We are shocked and dismayed at this unexplainable act of brutality and of contempt for human life that demanded the lives of 269 defenceless men, women and children. The Government of the Federal Republic of Germany expresses its deepest sympathy and profound condolences to the families, the peoples and the Governments of the victims.

155. The shooting down of a civilian aeroplane is, in times of peace, an unprecedented and abominable act for which there can be no excuse. Even if the aeroplane had strayed into Soviet airspace and failed to observe orders for landing, its destruction, involving heavy loss of human lives, was a gross violation of international law and the principles of humanity.

156. According to State practice, as well as to well-defined regulations of ICAO, the use of military force in such circumstances cannot be justified. The right of any State to enforce the respect for its airspace is, like the enforcement of other rights, limited by the principle of proportionality, which is a fundamental and globally recognized principle of international law. The course of action pursued by the Soviet Union undermines the very foundation of international civil aviation. We, therefore, sharply condemn it.

157. The political and moral damage caused by this most deplorable incident is considerable. The Government of the Federal Republic of Germany is extremely concerned about the ensuing risks of negative repercussions for both East-West relations and the international climate as a whole. This development is particularly alarming at a time at which crucial questions of East-West relations are being discussed in Geneva and at which the positive conclusion of the Madrid meeting of the participating States of the Conference on Security and Co-operation in Europe and the intensifying contacts between the two super-Powers offer possibilities for the much needed and much desired improvement of the international situation.

158. We call on the Soviet Union to take appropriate actions in order to limit the dangerous consequences of this incident as much as possible. In this respect, in particular, a comprehensive investigation and the indemnification of the families of the victims are required, as are arrangements designed to prevent any repetition of such tragic incidents.

159. Mr. LICHENSTEIN (United States of America): I would like to read to the Council a statement issued late this afternoon in Washington by Secretary of State George P. Shultz. I quote:

> "The Soviet Union has today issued another statement in its continuing effort to cover up the facts of the inhumane Soviet attack on an unarmed civilian airliner. They still will not admit the truth—that they shot down an unarmed civilian airliner.
>
> "The facts are:
>
> "First, the aircraft was a commercial airliner on a regularly scheduled flight—and the Soviet fighter came close enough to see it.
>
> "Secondly, the passengers on the flight came from many nations and included a number of women and children.
>
> "Thirdly, the airliner in question was not of United States registry.
>
> "Fourthly, the United States was not aware that the Korean airliner was in jeopardy until it was shot down. Our first knowledge of this incident was based on subsequent analysis of Soviet defence activity."

160. I depart from the Secretary's statement to comment on the suspicion which the Soviet representative expressed at the fact that United States services followed the flight throughout its duration in the most attentive manner. No, I would remind the representative of the Soviet Union: we followed you following the flight. I resume the Secretary's statement:

> "TASS also asserts that the Soviet aircraft fired warning shots with tracer shells along the route of the plane. We know the Soviet pilot reported he had fired on the target and that the target was destroyed. There is no indication that the Soviets tried to warn the plane by firing tracers.
>
> "The Soviet Union is clearly engaged in an effort to divert attention from its own actions by false claims of a United States intelligence connection with the Korean civilian airliner"—and presumably with the 269 contract United States intelligence agents aboard that plane.
>
> "None of this can obscure the facts. The Soviet Union must accept responsibility for having shot down an unarmed commercial airliner, taking the lives of 269 human beings. No cover-up, however brazen, however elaborate, can change this reality or absolve the Soviet Union of its responsibility to explain its behaviour. The world is waiting for the Soviet Union to tell the truth."

161. I have one final comment. This is not Secretary of State George P. Shultz speaking. This is me. Probably the most grotesque of all the fictions to which we have been exposed this afternoon by the Soviet representative was

his astounding allegation that of course the destruction of this aircraft redounds, in some extraordinary way, to the benefit of the Administration of the President of the United States—redounds to its benefit, to the benefit of the Administration that I represent.

162. Knowing as we do the less-than-hospitable feelings of the Soviet Union towards the President and the Administration, which I am proud to represent, were it to redound to the benefit of that Administration, why, I must ask the Soviet representative, did you shoot down the aeroplane?

The meeting rose at 6.40 p.m.

NOTES

[1] United Nations, *Treaty Series*, vol. 15, No. 102.

[2] International Civil Aviation Organization, ***Rules of the Air***, Annex 2 to the Convention on International Civil Aviation, Attachment A, para. 2.1.

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